

CHAPTER 4

BASIC INVESTIGATIVE TECHNIQUES AND PROCEDURES

Section I. INTRODUCTION

4-1. General

"Investigation" is a duly authorized, systematized, detailed examination or inquiry to uncover facts and determine the truth of a matter. The purpose of a counterintelligence investigation is to supply the commander with sufficient factual information on which to base an adjudicative decision or to initiate action to insure the security of his command. Counterintelligence investigations utilize basic investigative techniques and procedures similar in many respects to those employed by criminal investigators of law enforcement agencies. The purpose of criminal investigations, however, is to determine the facts of an alleged crime and to apprehend the offenders. Counterintelligence investigations are aimed at the detection, prevention, and/or neutralization of actual or potential threats to the security of the command and the Army, regardless of whether criminal activity is involved. Although prosecution of the offenders may be the natural consequence of some counterintelligence investigations, the primary objective is the security of command. Many operations of counterintelligence units must be coordinated carefully with those of military police investigative units and other intelligence and security agencies, to preclude the operations of one agency having a negative effect on, or compromising the operations of, another.

4-2. The Investigative Plan

An investigative plan must be formulated at each operational level down to and including the level of the individual Special Agent. The purpose of the investigative plan is to define information required and pertinent aspects to be considered and to preclude unnecessary investigative effort. The investigative plan will vary in scope and detail from one at control office or MI group headquarters, which may outline the plan for an entire or major part of an investigation, to a simple plan of a regional or resident office involving only one

phase or lead of an investigation. The plan of an individual Special Agent, for example, may be no more than consideration of the approach to a single interview. An investigative plan should include as many of the following considerations as are applicable:

- a. Reasons for, or purpose of, the investigation.
- b. Phases or elements of the investigation which have been assigned.
- c. Whether the investigation is to be conducted overtly or discreetly.
- d. Priority of the investigation and time permitted for completion.
- e. Restrictions or special instructions.
- f. Information provided, including information from the unit or office files.
- g. Definition of the problem.
- h. Methods and sources to be used.
- i. Coordination required.

The investigative plan is updated as warranted by new developments and the continuing analysis of results.

4-3. Basic Investigative Techniques

The following basic techniques are employed as appropriate in all areas of operation and in all types of investigative activity:

a. *Records Examination.* An examination of the records is made to locate, gain access too, and extract or copy pertinent data from diverse official and unofficial documents and records for the production of factual data. Records are also used as a source of leads for further investigation.

b. *Interview and Interrogation.* Direct or indirect questioning of individuals is made for the purpose of obtaining information.

c. Surveillance. Surveillance in counterintelligence operations may be employed for the purpose of providing protection or for the collection of information, evidence, or leads. This technique is expensive in terms of time and manpower; consequently, it should be applied judiciously—generally only when required to produce results not obtainable by other means.

d. Raids and Searches. Raids and searches are seldom employed by counterintelligence units except in areas of hostilities. However, the need

cannot always be anticipated and the Special Agent must have a basic knowledge of the technique and planning involved.

e. Collection and Handling of Evidence. Although the results will not often be presented in court, care must be taken to insure that evidence collected is handled in such a manner as to make it admissible in the courts. If the evidence has been properly handled, it will also be usable by administrative boards.

Section II. RECORDS EXAMINATION

4-4. General

The systematic employment of records examination is particularly adaptable and important to the broad scope of most counterintelligence investigations. The full exploitation of records examination as an investigative tool is dependent upon several factors which must be considered by the Special Agent:

a. Types of Records Available. The counterintelligence specialist must know what, where, by whom, and for what purpose records are maintained throughout the area in which he is operating. The initial orientation of a Special Agent, upon his assignment to an operational unit, should stress thorough familiarity with records which can be of assistance in investigations.

b. Methods of Gaining Access to Records. Most records will be available to the Special Agent on an official request basis. In some cases, however, access will be contingent upon the ability of the investigator to obtain discreet cooperation of the custodian of the records. Such cooperation will be enhanced by mature, professional conduct and attitude, effective liaison, and mutual assistance. If all efforts to obtain the desired information fail it must be recognized that such information or records are not obtainable by a subpoena if a legal proceeding has not been initiated. A search warrant could compromise an investigation even if the required probable cause, in the legal sense, could be shown. Consequently, there will be occasions when documentary information or evidence will have to be obtained through other investigative means.

c. Reliability of Recorded Data. The possibility of intentional deception or false information in both official and unofficial records must always be considered. The fact that data is recorded in some

documentary form does not in itself insure its reliability. Many recorded facts, particularly items of biographical data of interest in complaint-type and personnel security investigations, are merely repetitions of unsubstantiated information provided by the subject himself. Reliability of records will vary considerably according to the area, the status of the agency or organization keeping the records, and many other intangible factors. For example, records to be found in highly industrialized Western Europe will be more extensive and far more reliable than those of underdeveloped areas of Southeast Asia. Until experience with a certain type of record has been sufficient to establish a basis for evaluating their reliability, it is necessary to treat information from these records with skepticism.

d. Legal Aspects. If the record of interest is to be used in a court or board proceeding, the manner in which the record is copied, extracted, or preserved will have a bearing on its use as evidence.

e. Value of Negative Information. In counterintelligence investigations, for example, the absence of a record is often just as important as the existence of a record. This is especially important in the investigation of biographical data furnished by the subject of a complaint-type investigation. Another example is the systematic and meticulous examination of records to confirm or refute a suspect's story is very often the best means of breaking and enemy intelligence agent's cover story.

4-5. Types of Records of Counterintelligence Interest

The types of records and amount of detail of their content will vary markedly with the area of operation. Regardless of the area, it is important

for the Special Agent to be aware of the types of records he may be able to use in the conduct of investigations. The following are some of the major types of records which often will be of value for information or for leads.

a. Police and Security Agencies. Local, regional, and national police agencies of most nations maintain extensive personality files on criminals, suspects, victims, and other persons who have come to the official attention of police in connection with some actual or alleged criminal activity. Police interest in precise descriptive details, often including photographs and fingerprint cards, makes police records particularly valuable and usually more reliable than comparable records of other agencies. Police and security agency files are usually divided into subcategories; it is important for the Special Agent to become familiar with the records system concerned to insure that all pertinent files have actually been checked.

b. Intelligence Agencies. Because the reliability and validity of records checks with allied intelligence agencies will often depend to a large degree on the personal relationship between the counterintelligence representative and the custodian of the records of interest, such examinations normally will be the assigned responsibility of a liaison officer. This may also be necessary with other agencies when the volume of records examinations dictates the need for a single representative of the counterintelligence element. At times it may be necessary, due to the sensitivity of a particular investigation, to conceal specific interest in a person whose name is to be checked. In this instance, the name of the individual may be submitted routinely in the midst of a lengthy list of persons of routine interest who are to be checked.

c. Vital Statistics. The recording of births, deaths, and marriages is mandatory in nearly every nation, either by national or local law. This information may only be maintained in family journals or Bibles in newly developing countries or in the case of very old records. In any case, confirmation of such dates may be important in many types of investigations. The records sought may be filed at local level, as is usually the case in overseas areas, or they may be kept at state or regional level, such as with state bureaus of vital statistics in the United States. Rarely will original vital statistics records on individuals be maintained centrally with a national agency.

d. Residence. Some form of official registration of residence is required in most nations of the

world. The residence record may be for tax purposes, in which case it probably will be found on file at some local fiscal or treasury office; when the residence record is needed for police and security purposes, it is usually kept in a special separate police file. Residence directories, telephone books, and utility company records may also be used. In other countries, the village chief may maintain these records which may double as a record of vital statistics reflecting births, marriages, and deaths.

e. Education. Both public and private schools at all levels, from primary grades through universities, will have records which may serve for purposes of background verification. The school yearbook or comparable publication at most schools will contain a photograph and brief resume of the activities of each graduating class member, a record of value both for verification and as an aid to locating leads. Registrar records normally contain a limited amount of biographical data and a detailed account of academic activities.

f. Employment. Official and Business records related to employment of individuals may be of value.

(1) *Personnel records.* Personnel records usually contain information on dates of employment, positions held, payment received, efficiency, reason for leaving, attendance record, special skills, and biographical and identifying data. Access to such records for the Special Agent will be relatively simple in the United States but may prove difficult in some overseas areas. In such areas it may be possible to obtain the records through liaison with local civil authorities, or through private credit and business rating firms.

(2) *Unemployment and social security records.* Depending upon the area of operation, there may be either local, regional, or national offices for the administration of unemployment and social security programs. Records of these offices often will contain extensive background material on individuals, but in most cases these data will represent unsubstantiated information provided by the applicant and cannot necessarily be regarded as confirmation of other data obtained from the same individual. It must be noted, however, that the records of the US Social Security Administration can only be obtained by the Department of Justice by written request in cases involving high level security investigations.

g. Citizenship. Immigration, naturalization,

passport, and similar records of all nations contain data regarding the citizenship status of individuals. In most instances, independent investigation has been undertaken to verify background information contained in such records, and thus these are generally more reliable than other types. The records of both official and private refugee welfare and assistance agencies will also provide extensive details relating to the citizenship status of persons of counterintelligence interest. As a general rule, refugee records (particularly those of private welfare groups) should be used as a source of leads rather than for verification of factual data inasmuch as they have been found to be unreliable in nearly all areas of operation.

h. International Travel. A system of access to records of international travel is especially important to counterintelligence operations in overseas areas. Records of interest include customs records, passport and visa applications, passenger manifests of commercial carriers, currency exchange files, transient residence registrations, private and government travel agency records, and frontier control agency (e.g., border police) files. Records of foreign travel of US citizens are maintained by the State Department and such information is available by means of a National Agency Check in accordance with AR 381-130.

i. Military Service. Records of current and past members of the armed services of most nations are detailed and are usually accurate:

(1) *US records.* Counterintelligence specialists will encounter no difficulty in obtaining access to US military service records on an official request basis. If a serviceman changes branches, has a break in service, or is hospitalized, certain elements of information must be furnished to the control office so these records can be located for review if necessary:

(a) For those personnel who have changed branches of service, the control office will need the man's former service number, social security account number, full name, and date and place of birth.

(b) When an individual has had a break in service, his field 201 file is retired, and to obtain it for review, the control office will need the individual's full name, and any former service numbers.

(c) In addition, The Adjutant General's Office, or control branch files may be more complete than the individual's field 201 file, particu-

larly if the individual has had national guard or reserve status as a commissioned or warrant officer. This would, however, be the exception rather than the rule.

(d) Army hospital records which have been retired are filed by hospital, by year, by name; consequently, the hospital name and year will be required.

(2) *Foreign records.* Access to foreign military records in overseas areas may be very difficult. In cases where it is not possible to arrange for examination of official records, leads or pertinent information may be obtained from unofficial unit histories and similar documents which have been published commercially and also from files on various veteran organizations. Since military service is a convenient means of accounting for periods of time spent in intelligence activities, or periods of imprisonment, it is frequently a critical item in dealing with suspected enemy agents. Special efforts may be made to locate some form of records which will either confirm or deny an individual's service in a particular unit or the existence of the unit at the time and place he claims to have served. Order of battle and personality files of various intelligence services also may be helpful.

j. Miscellaneous Organizational Affiliation. Many organizations maintain records which may be of value to a particular investigation. Examples are labor unions, social, scientific, sport groups, cultural and subversive organizations. Although it is important for the Special Agent to consider such organizations when seeking sources of information, he must be thoroughly familiar with the organization before attempting to exploit it. Organizations are often established as front groups or cover vehicles for hostile intelligence operations.

4-6. Access to Records

Having determined which records may include information pertinent to an investigation, the Special Agent must select the best means of gaining access to the records for purposes of examining or copying. In general, access to records will be accomplished by the following methods:

a. Official Inquiry. The Special Agent must contact the custodian of the records; identify himself as a Special Agent of Military Intelligence, United States Army, using his credentials; state the purpose of the inquiry; and ask for any information available. This procedure is most com-

monly employed in personnel security investigations, but it may be employed in certain phases of complaint type investigations.

b. Liaison. This process involves reciprocal cooperation between the agency whose records are of interest and the unit. Such liaison may include authorization for the liaison representative to arrange for records checks on an exchange basis within limitations imposed by higher headquarters. Liaison of this type normally will be the responsibility of a designated liaison officer, or it may be an additional duty for counterintelligence specialists.

c. Check of National Agencies. The records of national agencies in the United States are checked by forwarding a request for a National Agency Check through channels on DD Form 1584. Normally, these checks will have been initiated by the control office concurrently with assigning the investigative tasks to subordinate levels. Results of such checks, when they have a bearing on the investigative tasks being conducted at the operational level, will be forwarded through channels to the investigating officer.

Section III. INTERVIEWS

4-7. General

The interview is a form of direct interrogation used to extract information from an individual by questioning. Use of the word "interrogation" in conjunction with criminal and intelligence activities has resulted in a generally accepted connotation implying use of authority and application of subterfuge and psychological pressures. The general solicitude for the interviewee and the pleasant atmosphere of the normal counterintelligence interview are missing in an interrogation, except as they may be phases of a planned interrogation technique. The distinction between "interview" and "interrogation" is at times difficult. In some instances, e.g., interviews of walk-ins or witnesses, the hostility of a subject may necessitate the application of interrogation techniques by the Special Agent. Differentiation between the two, however, is academic provided there is adherence to legal and other requirements. In counterintelligence operations, the interview is used extensively in but not limited to, personnel security investigations (PSI). In certain instances, it may be necessary to conceal the true purpose of an interview or to obtain information without the subject becoming aware that an "interview" is taking place. Techniques for interviewing an unwitting source are discussed in paragraphs 4-19 through 4-22. The purpose of a interview as part of a PSI is to determine the loyalty, trustworthiness and the suitability of an individual by questioning people acquainted with the person. In this manner, an objective and composite picture of a person may be obtained. No single source of information can satisfy the requirements of such an investigation. Personnel security investigations constitute the majority of counterintel-

ligence investigations, and a number of interviews are conducted in conjunction with each PSI.

4-8. Preparation for an Interview

Prior to an interview, the Special Agent must study carefully all the background information available on the case. In a PSI the subject of the investigation will have submitted a DD Form 398 (Statement of Personal History). This document is the initial source of leads; it may give an indication of the relationship between the listed references (prospective interviewees) and the subject, and it may assist in creating a mental picture of the subject—an invaluable aid in formulating a line of questioning for an interview. Often an interview will be based on a DD Form 339 (Lead Sheet), which normally contains less background information. Other sources of information, concerning both the subject and the prospective interviewee are unit files, local and Federal law enforcement agency files, telephone books, and city directories. It is frequently desirable, and necessary in critical cases when indications of the credibility of an interviewee are needed, that something about the interviewee be learned. In addition to files and records, the interviewee's neighborhood, class of housing, condition of the home, and occupation or position may give a general, but fallible, indication of the personality of the interviewee. A telephone call to arrange an appointment with a prospective interviewee is a courtesy often advantageous to the investigator. The Special Agent's final preparatory step is the formulation of a tentative plan for questioning the interviewee.

4-9. The Approach

The approach to an interview is simply an application of the social code of polite behavior, together with certain investigative requirements.

a. Identification of the Interviewee. The Special Agent should first determine that he is talking to the right person. The full name of the interviewee must be used to preclude all possibility for error.

b. Identification of the Special Agent. The Special Agent may have introduced himself by telephone, but he must again introduce himself as a Special Agent of Military Intelligence and present his credentials for the inspection of the interviewee.

c. Identification of the Subject of Investigation. The Special Agent must identify the subject of investigation to ascertain that the interviewee is or was, in fact, acquainted with the subject.

d. Statement of Purpose of the Interview. The Special Agent must explain to the interviewee the purpose of the interview. Some people are inclined to look with suspicion on all investigators. The patient explanation by the Special Agent of the purpose and importance of the interview and the need for the interviewee's cooperation is generally sufficient to allay suspicion and forestall any reluctance to provide information.

e. Privacy of the Interview. The Special Agent should insure, to the extent conditions permit, that the interview will not be interrupted or overheard. He should also emphasize the Army policy limiting dissemination of details of a PSI.

f. Confidential Nature of the Interviewee's Statements. The Special Agent should inform the interviewee that his having been interviewed and the matters discussed are regarded by the Army as official Army business and should not be discussed by the interviewee with other persons.

g. Establishing and Maintaining Rapport. The foregoing steps provide a means by which the Special Agent may establish rapport with the interviewee before beginning the interview proper. Rapport creates mutual confidence and cooperation between the interviewee and the Special Agent. Important to good rapport are proper dress, a pleasant voice, a courteous demeanor, and a professional manner. The burden for maintaining rapport throughout the interview rests with the Special Agent. Normally an interview will take place in the interviewee's home or place of

work, where he is under no official compulsion to furnish the information sought. Topics found to be of mutual interest may be used by the Special Agent to assist in establishing rapport, but caution must be exercised to prevent the interview from becoming a mere casual conversation.

4-10. The Interview Proper

Once the interviewee has indicated his willingness to cooperate, the Special Agent must establish the area of knowledge through questioning. The area of knowledge consists of: when the interviewee and subject first met; under what circumstances; when interviewee and subject last met; under what circumstances; the period of closest association; the type of association; frequency of contact; and if there has been any communication between them. This information will also aid the Special Agent in formulating questions on the subject's loyalty, integrity, discretion, and moral character. The Special Agent now must explore all aspects of the subject's background to the knowledge of the interviewee, which are pertinent to the investigation. He must be constantly alert for leads to other persons not listed by the subject as references. If the interviewee is or was an employee or coworker of the subject, attention is focused on the subject's efficiency, initiative, and ability to get along with fellow workers and subordinates, and on his honesty, reliability, and general character. If the interviewee is or was a neighbor of subject, the subject's general reputation and that of his family, his leisure time activities, morals, and personal habits may be discussed. Concentration on some points does not imply exclusion of others. Information which will assist in establishing subject's loyalty, trustworthiness, and suitability must be sought. Following is a tentative checklist which may be useful as a general framework for an interview and a basis for discussion:

Birth of subject	Date and place, with particular attention to origin.
Education	Names and addresses of institutions; dates of attendance, academic records, and degrees received.
Employment	Names and addresses of employers and dates of employment; names of immediate superiors and coworkers; nature of duties; quality of performance; reason for departure from job.
Technical skills	Education and circumstances of development.

Interests ----	..Hobbies and avocations.
Temperament	..Emotional stability, natural inclinations, and idiosyncrasies.
Moral character	..Personal habits, particular virtues and faults, illegal use of narcotics, and excessive consumption of alcohol.
Mental ability	..Inherent talent, intellectual developments, general alertness.
Loyalty	..Adherence to principles of the Constitution and to laws of the nation; reaction to foreign ideologies.
Integrity	..Uprightness of moral character and strength of convictions.
Discretion	..Speech and behavior, judgment, and self-control.
Reputation	..Personality, character, and popularity.
Record --	..Appropriate police authorities and other agencies such as credit bureaus.
Family background	..Origin of parents, relatives abroad, general reputation.
Association	..Male and female friends, business or other associates, favorite haunts.
Organizations	..Membership, active participation, position, professional societies, character of organization, financial contributions, persons for membership, awareness of aims of organization.
Leads	..Names and addresses of persons acquainted with various phases of subject's background; impartial sources of information not listed by subject as references.
Recommendation	..Interviewee's overall opinion of subject's qualifications for a position of responsibility and trust; questions concerning religious beliefs, racial matters, politics, labor affiliations, or personal and domestic matters should be avoided unless absolutely essential to the investigation; such questions not relevant to the purpose of the interview constitute unnecessary and unwarranted invasion of the subject's privacy.

4-11. Important Precepts

a. Be Professional in Approach. A Special Agent, as a representative of Military Intelligence should always be dressed in accordance with his assigned duty, courteous in manner, and efficient in the execution of his duty.

b. Be Specific in Questions. General questions should be avoided since they are usually confusing. The Special Agent should pinpoint specific information desired.

c. Determine Reasons for Interviewee's Opinions. When the interviewee states, for example, that he considers the subject to be an indiscreet person, he should be requested to cite specific incidents to support his opinion. If he claims the man is a drunkard, his concept of the term should be clearly defined and his statement should be substantiated by pertinent facts.

d. Be Logical. The Special Agent should analyze point by point each phase of the subject's background. If the interviewee presents information in a haphazard manner, the Special Agent must attempt with tact to guide the discussion into a logical pattern.

e. Get All Pertinent Information the First Time. The conscientious Special Agent cannot tolerate gaps in his report, and he should get all the facts the first time; however, the Special Agent must fill any gaps in his report even if it means returning for another interview.

f. Be Interested in the Interviewee. The Special Agent must maintain an attitude of interest no matter how often the information he is receiving may have been repeated by various persons.

g. Do Not Discuss Official Information. In many cases, the interviewee expresses curiosity about the Special Agent's position and duties. The interviewee may want to know additional details about the purpose of the investigation or about information received from other sources. These are matters which cannot be disclosed due to their official nature, and the Special Agent must decline to answer inquiries with tact.

h. Keep Notes to a Minimum. It is preferable to take notes only on pertinent points of the interview, with particular attention to names, addresses, dates, and direct quotations of significance. If the Special Agent feels he should amplify his notes, he can make the necessary elaboration as soon as possible after the interview.

i. Remember Leads. It is understandable that persons listed as references by the subject of investigation normally will paint a highly favorable picture of the subject and his qualifications. In a search for objective information the Special Agent must also consult individuals (throw-offs) whose names were not provided by the subject

who are identified as associates of the subject. Names, locations, and associations of such persons with the subject should be obtained during interviews of references or developed sources.

j. Leave a Good Impression. Regardless of the nature of the reception by the interviewee, the Special Agent should be courteous. When the Special Agent encounters hostility, he should try to dissipate it by maintaining a courteous but businesslike manner, tactfully citing reasons for the interview. He should express his appreciation for the interviewee's time and courtesy.

4-12. Interviews of Subjects of Counterintelligence Investigations

When authorized by proper authority, the subject of a PSI or of a CTI may be interviewed (AR 381-130). In all interviews of subjects of a counterintelligence investigation where the subject is accused or suspected of violating the law, the subject must be properly advised of his rights under the provisions of the Fifth Amendment to the Constitution of the United States or of Article 31 of the Uniform Code of Military Justice and of his right to counsel. It is emphasized that questions concerning religious beliefs, racial matters, politics, labor affiliations, or personal and domestic matters should also be avoided in subject interviews; however, when such information has a direct bearing on the investigation the Special Agent will phrase and time his queries so as to establish clearly that they are relevant to the investigation.

a. Subject's Right to Counsel. A suspected or accused subject has the right to legal advice at any time prior to, during, or following the interview (3-6).

b. Preparation for the Subject Interview. The subject shall be contacted and informed of the precise reason for the interview. He will be advised that the interview offers him the opportunity to refute questionable and/or misleading information or circumstances; to provide information not otherwise obtainable; or to remain silent, neither affirming nor denying the information. If the subject expresses a willingness to be interviewed, arrangements should be made for the time, date, and place of interview. Should the subject refuse to be interviewed or to answer pertinent questions, this refusal must be made a matter of official record by the Special Agent in verbatim form. The Special Agent must accumulate all available information and all pertinent

leads before the conduct of the interview. Questions for each interview will be carefully preplanned, with the advice and assistance of superiors. The subject matter of the interview should be reviewed carefully to insure that only information specifically authorized by the control office is released to the subject during the interview. Under no circumstances will the subject be allowed access to any portion of his intelligence file. When directed by Department of the Army, or when, from facts available, it is considered likely that a recommendation for removal or elimination will result, verbatim transcripts will be made of the interview or of any oral statements. There is usually no obligation to furnish the interviewee with a copy of the transcript or recording or of a statement made by him, but he will be permitted to inspect the official transcript of his interview or statement. The Special Agent must then explain to him that, if he is called to appear before a field board of inquiry or a civilian security hearing board, a copy of the interview will be provided on his request. If the subject participates in the interview or signs a transcript or statement conditional upon obtaining a copy of same, a copy will be furnished, unless restrictions of AR 380-5 on the release of classified information apply. The copy furnished the subject will not bear a protective marking but should contain a statement substantially as follows: "A copy of (describe) is furnished at your request. The official copies of this document will be protected to safeguard your confidence and will be used for official purposes only."

c. Precepts. The Special Agent acts as a representative of the US Army. His every statement, question, or contact will be regarded by the subject as part of the official proceedings, whether so intended or not. There will be no off-the-record or unofficial phases in the interview. Special Agents will make no promises or commitments to the subject which are beyond their authority to fulfill. Special Agents will avoid statements or representations which might be misunderstood and comments which might be construed as expressions of opinion or advice to the subject concerning his past, present or future actions. Special Agents will not argue with subjects or express personal viewpoints on any matter.

d. Female. When the subject to be interviewed is female, female witnesses must possess the appropriate security clearance. Any immoral or abnormal behavior allegations by the WAC must be referred to the WAC commander for action. In the absence of a WAC commander, such allega-

tions must be referred to the command WAC advisor. If personal questions are to be asked that may prove to be embarrassing, the female should be so warned in advance (para 4-17d(3)).

e. Steps of the Interview. The Special Agent conducting a subject interview should take the following actions in the sequence listed:

(1) Dictate identifying data into the tape recorder prior to the subject's arrival. Turn off the machine.

(2) Identify and welcome subject, identify self, and present credentials.

(3) Explain the general purpose and confidential nature of the interview.

(4) Obtain subject's permission to record the interview, explaining that the recording will facilitate the preparation of a written transcript of the interview which subject will have an opportunity to review, correct, and sign under oath.

(5) Turn on the tape recorder. (If the subject objects to the tape recorder, (e.g., "Those machines make me nervous") but is willing to proceed without the tape recording, the Special Agent should proceed taking verbatim notes. Lack of a tape recording is an administrative inconvenience, but will not unduly hamper the taking of the Sworn Statement and the preparation of the Agent Report.)

(6) Ask the subject to state, for the record, his name, rank, social security account number, and other identifying data as appropriate.

(7) If appropriate, administer a full explanation of rights as outlined in paragraph 3-6.

(8) If the explanation of rights was given, request subject complete "Waiver Certificate" (part I, DA Form 2820) on which he acknowledges receipt of the explanation of rights and decides to exercise or waive his rights to remain silent and to consult counsel.

(9) If the subject chooses to waive his right to remain silent, ask him if he is willing to take the oath. (If he is not, ask him if he is willing to answer questions or make a statement without taking the oath. If he is, remind him that the statements and answers still can be used as evidence against him. If he is still willing to be interviewed, proceed.)

(10) Administer the oath in accordance with paragraph 3-27.

(11) Conduct the interview using prepared questions designed to elicit narrative answers.

(12) When appropriate, ask the subject if he is willing to submit to a polygraph examination.

(13) If appropriate, obtain a handwritten sworn statement before terminating the interview.

(14) If appropriate, make arrangements for obtaining the subject's signature on a typewritten sworn statement.

(15) Thank subject for his cooperation, remind him that his statements will be held in confidence and used for official purposes only.

(16) Terminate the interview.

4-13. Interviews of "Walk-Ins" or Volunteers

a. General. Persons who volunteer information of intelligence interest usually do so for some personal motive. When interviewing such persons, the Special Agent must consider the source's motive (nationalism; personal gain; protection of self, family, and belongings; vindictiveness; or revenge). The source's motive(s) may be invaluable in evaluating the information or in determining the nature and extent of his knowledge. Motivation may not always be known, and may be other than that stated by the source. The Special Agent's primary concern is to obtain all information of both intelligence and counterintelligence value. If, however, the source volunteers information which is not within the jurisdiction of Military Intelligence, the source will be referred to the local police or local office of the FBI. If the source refuses such referral, the information will be obtained and immediately furnished to the proper office. Upon request, the identity of a source will be protected. This procedure will also apply to anonymous telephone callers or written messages.

b. Method of Interview. Differences in types of information and in motivation dictate the need for varied techniques. A story of an incident cannot be examined in quite the same manner as a story involving a subversive organization. A reluctant source will require a different technique from a willing source. Despite these differences, the following steps in the order given are basic to the interview of sources volunteering information:

(1) *Put the source at ease.* The Special Agent's initial attitude frequently affects the success of the interview. The atmosphere should be pleasant; the Special Agent should be courteous

but professional. Effort should be made to avoid taking up more of the source's time than necessary. Care must be exercised to prevent compromising the source by indiscreet questioning in the presence of others.

(2) *Let the source tell his own story.* The source should be encouraged to tell his story in his own way. Premature questions may be disconcerting or may reveal the Special Agent's suspicious attitude, thus alarming the source and causing him to limit his information to vague generalities. If the source strays too far from the basic story, the Special Agent should tactfully steer him back to the main topic. Throughout this first narration by the source, the Special Agent should make mental notes of the salient points to guide him in the subsequent review of the story.

(3) *Review the story and take notes.* Once the source has completed his basic story, he generally has little reluctance to answering specific questions on the details. Given the assurance that his information will be kept in strict confidence, he will now be less apprehensive of notetaking. The story should now be reviewed critically in its entirety. Disparities, contradictions, and gaps in the story must be clarified. Every lead must be noted accurately.

(4) *Obtain background information.* To assist in the evaluation of the source's information, something must be known about the source himself. The source's identity, his origin, past activities, present and past addresses, occupation, interests, and motives are pertinent facts which may throw light on his reliability.

(5) *Develop secondary information.* The source's story and background frequently indicate that he may have further information of significant intelligence interest.

(6) *Termination of the interview.* When the Special Agent is certain the source has no further information, he should close the interview in a manner calculated to leave a favorable impression. If future contact with the source is a possibility, at least tentative arrangements should be made. The Special Agent should be sure to express his appreciation.

c. Precepts. In preparing for and conducting an interview of volunteers, the Special Agent should—

(1) Check, or initiate check of, the files of his unit for possible information on the source.

(2) Attempt to make arrangements to avoid interruption.

(3) Adapt himself to the source's intellectual level.

(4) Exercise utmost discretion and avoid controversial discussions.

(5) Secure all names of other individuals who may have knowledge of the same information.

(6) Remember security regulations and make no commitments which cannot be fulfilled.

4-14. Interviewing a Witness

a. General. The nature of the information from a witness dictates the need for special consideration in the manner of interview. The importance of a witness is that he can provide direct evidence. A witness may also provide data and leads which, although they may not be usable in a legal proceeding, may serve to aid further investigation. In many respects, the general principles observed in interviewing voluntary sources are also applicable in interviewing witnesses; however, there are a few additional factors which have a bearing on the questioning technique.

b. Basic Psychology. The reputation, social standing, and profession of the witness, plus the fact that his statements are generally recorded for possible use in court, cause understandable psychological reactions. A normal person may be unable to prevent personal prejudice from causing distortion of his thinking and presentation of the facts, and a less conscientious person may not even attempt to be objective. The witness may not be aware that he is capable of distorting facts unwittingly, or that forgotten details might be replaced with the product of his imagination. The misgivings of a conscientious witness, who must make incriminating statements against another person, are understandable. The longer the lapse between the incident and the interview, the greater the possibilities that imagination may alter the facts. These psychological effects occasionally reveal themselves in the form of a witness' resistance to questioning and his refusal to testify. It may become necessary to apply interrogation techniques to witnesses who are unwilling to respond to questions asked during the interview (para 4-16 through 4-18). The witness may feel that once his testimony becomes public knowledge and he is identified, his personal affairs may be affected adversely. In some instances, the witness may visualize with misgivings a courtroom scene in which he will be the butt of a sarcastic lawyer's barbs and public ridi-

cule. These concerns may cause the witness to lie in an attempt to avoid association with the case.

c. Circumstances or Conditions Affecting Questioning Witnesses. There are certain circumstances and conditions which may be present and which may affect the evaluation of the information received from a witness.

(1) The physical and mental qualifications and condition of a witness are the most accurate gauge of his value. The accuracy of the witness' observations may be affected; for example, if a witness stated that he observed something at a distance of 100 yards, the condition of his eyes would have to be considered in evaluating his testimony.

(2) Witnesses must have the capacity to observe, comprehend, and report. The qualifications of a scientist, for example, to testify on scientific matters within his field of interest would differ considerably from those of a layman.

(3) Categorical statements regarding the sex of a witness as a basis for evaluation are misleading. A woman's emotional traits may differ from those of a man, but instability is a characteristic not peculiar to either sex. These facts notwithstanding, the Special Agent must not ignore the fact that some women frequently rely upon intuition rather than critical analysis.

(4) A categorical statement with respect to age as a qualification for the competence of a witness also is not justified. Once a child has attained the age of reason, his testimony may be just as valid as that of a mature person. There are psychological patterns which fit certain age groups. The likelihood that children will falsify the facts in a deliberate attempt to influence the situation is relatively slight; on the other hand, their vivid imaginations are not hampered by the demands of logic and they tend to exaggerate.

d. Special Cases. The Special Agent's task is further complicated because he may deal with witnesses whose attitudes require a change in technique. The following are types of cases which require special treatment.

(1) There are witnesses who are indifferent to the problems of the Special Agent. Others flatly refuse to talk because of possible danger to themselves. The Special Agent should attempt to stimulate their cooperation by appealing to their patriotism, by pointing out that it is to their personal interest to talk, or by leading them into a logical path of reasoning.

(2) Some witnesses are eager to demonstrate their knowledge and to prove to themselves that they are indispensable members of society. They may be braggarts; they may talk too much; they may know it all. The Special Agent must be patient, weigh critically everything that is said, separate truth from fiction by asking pertinent questions, and analyze the information carefully by comparing with other known facts.

(3) Some witnesses are timid and others may be suffering from emotional stress and nervous tension. The Special Agent must attempt to quiet their fears by being patient and understanding. There may be occasions when the Special Agent will gain much by asking questions when the witness is extremely vocal due to his emotional condition; however, after the witness has calmed down, he should be requestioned. Experience indicates that some witnesses offer the most factual information during periods of emotional upset because their normal mental processes, which would have permitted them to rationalize events and color their stories, are not functioning.

(4) A habitual liar obviously is a poor type of witness, but there are occasions when such a person is the only possible source of direct evidence against a suspect. In such an instance, the Special Agent cannot ignore the witness because of his weakness. Habitual liars usually contradict themselves; if the witness can be made to repeat his story often enough, the truth may emerge.

(5) A drunk witness should be questioned on the spot if possible. At the risk of being led through a conversational maze, the Special Agent should talk with the witness and strive to extract, by use of flattery, boastful disclosures which the witness might not make if sober. Later, these statements may be used as a basis for a formal interview or interrogation of the witness.

e. Method of Interview. (1) The Special Agent should, as soon as possible, but preferably prior to the interview, check his unit files for information about the witness. He also should be thoroughly familiar with all available facts of the case.

(2) The approach must include an attempt to anticipate and overcome the witness' objections, if any, to talking. As with a volunteer source, the witness should be put at ease.

(3) The witness should be encouraged to tell his story in his own way.

(4) During the formal questioning on salient points of the story, the Special Agent must attempt to separate positive evidence from inference, fact from fiction.

(5) He must take precise notes on the data received.

(6) The nature of the information and its possible use in a legal proceeding make it necessary for the Special Agent to verify the full identity of the witness.

(7) The Special Agent must determine whether the witness has information of collateral or secondary interest or information of interest to other intelligence and security agencies. In some instances, it may be advisable to refer the witness to another agency for questioning; at other times, joint questioning may be advantageous.

(8) In terminating the interview, the confidential nature of the matter must be impressed upon the witness to prevent endangering his personal safety, to avoid causing the witness embarrassment, and to avoid possible compromise of the investigation. It may be desirable to make arrangements for contacting the witness at a future time in the event developments indicate that he may be of further assistance.

f. The Sworn Statement. In many instances, particularly when the witness' statements are significant to the case, the Special Agent must attempt to obtain a sworn statement. The procedure outlined in chapter 3 of this manual is applicable.

4-15. Evaluating a Potential Witness

The judge, jury, or other factfinding body will judge the credibility of a witness according to his persuasive effect. The probable persuasive effect of a potential witness can be assessed in advance of his appearance before the factfinding body by consideration of several factors:

a. Capacity for Observation, Recollection, and Narration. The witness who perceives all the details of what he observes and is able to recall these details and communicate the circumstances to a listener will have a very persuasive effect on any factfinding body. The degree to which these capacities have been developed can be tested in any number of ways to assist in the evaluation of a potential witness in advance of his appearance before a factfinding body.

b. Appearance. The physical appearance of an individual who may be used as a witness will have a decided influence on his persuasive effect. If he appears immature or his countenance constantly reflects doubt or lack of comprehension, he is not likely to appear highly credible to the jury or other factfinding body.

c. Prejudice. If a witness holds some prejudice which may influence or color his testimony, this should be considered in advance of his use as a witness.

d. Agency Checks. In some cases, it will be necessary to have local and/or national agency checks conducted on potential witnesses in an attempt to determine their reliability.

Section IV. INTERROGATIONS

4-16. General

Interrogation is the formal and systematic questioning of an individual in order to extract the maximum amount of usable information. The principles and techniques of interrogation contained in FM 30-15 are applicable to counterintelligence interrogations. Brief discussions of those aspects of interrogation peculiar to counterintelligence investigations are included here. Combat counterintelligence interrogations are described in chapter 12.

4-17. Interrogation of Suspects

a. General. A suspect is a person believed to be associated with a prohibited activity. Prohibited activity includes not only the major crimes listed

in AR 381-130 as the basis for complaint type investigations, but also violations of security regulations. A person may be suspected of being directly implicated in an overt act which threatens the security of the US Army or a command, or he may be suspected of sympathetic association with members of subversive organizations. In combat for example, the Special Agent may have little more to work with than scraps of information and his knowledge of the situation and area. Regardless of whether the suspicion is founded upon a minimum of information such as an unlikely story or unusual nervousness of a subject, or whether it is founded on a wealth of factual data, the Special Agent's duty is to be objective and impartial in his search for facts. Paragraph 4-12 also concerns suspects when they are subjects of complaint-type investigations.

b. Psychological Aspects. The instinct of self-preservation is stimulated in an individual when he knows he is considered a suspect. This deep-rooted reaction frequently is reflected in stubborn resistance to interrogation. It is natural for the subject to consider the interrogation as a battle of wits in which he has much to lose and to look upon the interrogating Special Agent as the prosecutor. This attitude may prevail whether the individual is a guilty man fully aware of his crime or an innocent person fighting to clear himself of circumstantial evidence.

c. Purpose of the Interrogation. Special Agents must keep in mind the twofold objective of interrogations—detection and prevention of activity which threatens the security of the US Army and the collection of information of intelligence interest. Generally, in interrogation of a suspect, the Special Agent seeks a confession because it tends to expedite the flow of intelligence information the suspect possesses.

d. Preparation.

(1) *Study of the case.* The Special Agent must gather and digest all available material concerning the suspect and the case.

(2) *Legal requirements.* The Special Agent must be familiar with those legal principles and procedures (chap 3) which may be applicable to the case at hand. Legal requirements may differ, depending on whether—

(a) The US is at war or in a military occupation;

(b) The counterintelligence unit is operating in overseas areas;

(c) Status-of-forces or other agreements are in effect;

(d) The suspect is or is not a US citizen;

(e) The suspect is a member of the US Armed Forces; or

(f) The individual is a prisoner of war.

In case of doubt as to the legalities in the interrogation or the investigation, the Special Agent must seek clarification from higher authority, and with the cognizance of his superiors should seek the assistance of an appropriate judge advocate.

(3) *Apprehension of suspect.* Counterintelligence personnel have been given the authority to apprehend certain categories of suspects as outlined in AR 381-103. Normally, however, suspects are apprehended by other US and/or Allied agencies and referred to the CI element for interrogation because they are presumed to have in-

formation of counterintelligence interest. When counterintelligence personnel apprehend the suspect, the apprehension, search, and seizure of evidence should be performed in accordance with the principles and procedures given in FM 19-5. Basic rules of preservation of evidence, receipting and accounting for the suspect's property, and maintaining the chain of custody of evidence must be observed (para 4-31 through 4-35). If the suspect is a military female, the Special Agent must advise her that she has the right to request a WAC of nurse officer (*or any WAC or any female*) to be present during the interview. If she waives this right, a female witness must still be within listening distance during the interview (either inside or outside the interview room) as provided in paragraph 16, AR 600-3. This additional female may be of assistance by conducting a body search of suspect when such a search is necessary. If the female is not in the military service, no requirement exists for either a female or a male to be present during the interview; however, paragraph 3-21c(3) AR 195-10 states that a witness should be within listening distance or present when a nonmilitary female is interviewed. In addition, a signed waiver should be obtained from the suspect or accused attesting to the waiver (para 4-12e(8)).

(4) *A suspect not in custody.* When the suspect to be questioned or interrogated is not in custody, preparations may include a consideration of a discreet approach (i.e., the suspect would be approached with some plausible reason as a ruse and questioned). Frequently there may be insufficient evidence to bring about the apprehension of a suspect, or operational considerations may dictate the advisability of not apprehending the suspect.

(5) *Physical preparations.* The Special Agent must insure the following preparations prior to an interrogation:

(a) The interrogation room must be available and free of distractions.

(b) If use of recording equipment is anticipated, it must be installed and checked for operating condition.

(c) If more than one Special Agent is to take part in the interrogation, the team must be thoroughly oriented on the case and the plan of interrogation.

(d) If witnesses or other persons are to be used to confront the suspect, availability of these persons must be arranged.

(e) Arrangements must be made to minimize unplanned interruptions.

(f) Arrangements must be made for the suspect to be held in custody or provided billeting accommodations, if appropriate.

e. The Interrogation Proper. The basic techniques and procedures of interrogation given in FM 30-15 will be applied, as appropriate. The following points are particularly important in interrogations of suspects:

(1) Use background questioning to provide an opportunity to study the suspect face to face.

(2) Avoid misinterpretation and impulsive conclusions. The fact that the subject is a suspect may in itself create reactions of nervousness and emotion.

(3) Do not permit notetaking to interfere with observation of the suspect's reactions.

(4) Seek all details concerning the suspect's implication in prohibited activity.

(5) Concentrate on the details of the story to detect flaws. Each statement of the suspect must be examined for its plausibility, relationship to other statements made or to facts known, and factual completeness. Discrepancies called to the suspect's attention which require adjustment frequently weaken the suspect's position.

(6) Every cover story has a weakness; finding it is frequently the key to a successful interrogation.

(7) Treatment required by Geneva Conventions must be strictly followed, as applicable.

(8) A final appeal, planned as a sustained and convincing attack on the suspect's wall of resistance, should be built up. Eloquent and persuasive reasoning, with presentation of all the facts of the case, may succeed where piecemeal consideration of evidence has failed to bring a confession. This appeal may be based on overwhelming evidence, contradictions, or discrepancies in the suspect's story, or the suspect's emotional weaknesses.

f. The Confession. If the suspect desires to make a confession, a sworn statement, if possible, will be obtained and the procedures of chapter 3 will apply. As long as the suspect has been given an explanation of rights, any unsworn statement normally can be used in court against him. If the suspect is neither a citizen nor a member of the Armed Forces, requirements will be stipulated in the unit's SOP.

4-18. The Polygraph

The polygraph is frequently used as an aid to counterintelligence interrogations. The operation of the polygraph and its general application are discussed in FM 30-15. The conditions under which polygraph examinations are conducted within the Department of the Army are set forth in AR 195-6. Chapter 5 of this manual covers the application of the polygraph in counterintelligence investigations.

Section V. ELICITATION

4-19. General

Elicitation is a technique whereby information of value is obtained through a process of directed communication in which one or more of the parties involved is unaware of the specific purpose of the conversation. Elicitation is a planned and systematic process requiring careful preparation.

4-20. Preparation

Elicitation is always applied with a specific purpose in mind. The objective, or information desired, is the primary factor in determining the subject, elicitor, and setting for the elicitation effort. Once the subject has been selected, based upon his access to, or knowledge of, the desired information, there are numerous areas of social and official intercourse which may be exploited for the setting. Prior to the approach, all avail-

able intelligence files and records, personality dossiers, and knowledge of other individuals who have dealt with the subject in the past should be utilized in order to ascertain the individual's background, motivations, emotions, and psychological nature.

4-21. Approach

The subject should be approached in normal surroundings in order to avoid suspicion. There are two basic elicitation approaches, flattery and provocation. Many possible variations to these approaches may be used:

a. By appealing to the ego, the self-esteem, or the prominence of the subject, it may be possible to guide him into a conversation on the area-of-interest.

b. By insinuating that the subject is an author-

ity on a particular topic, his opinions may be solicited.

c. By adopting an unbelieving attitude, it may be possible to induce the subject to expound on the correct view or to answer out of irritation. Exercise caution so as not to provoke the subject to the point that rapport is broken.

d. By inserting bits of factual information on a particular topic, it may be possible to induce the subject to confirm and further expound on the topic. This approach does not lend itself to spontaneity.

e. By offering sincere and valid assistance to the subject, it may be possible to determine his specific area-of-interest.

f. By exhibiting an area of mutual or common interest, the subject may talk freely on the matter. (The elicitor must have more than superficial knowledge of the subject matter.)

4-22. The Conversation

a. Once the approach has successfully opened the conversation, techniques must be employed to channel and direct the conversation about the area-of-interest. Some common techniques include:

(1) Attempt to obtain more information by a vague, incomplete, or too generalized response.

(2) Elicit additional information in areas in which the subject's response is unclear (i.e., "I agree; however, what did you mean by. . .?").

(3) Present a hypothetical situation which can be associated with a thought or idea expressed by the subject. Many people will express an opinion on hypothetical situations, who would make no comment concerning an actual situation.

b. To be successful, the elicitor must be resourceful; use initiative and imagination; and be unusually perceptive. He must be persistent without being obnoxious, and remain in complete control of the conversation at all times.

Section VI. SURVEILLANCE

4-23. General

Surveillance is a form of investigation which consists of keeping a person, place, or other target under physical or technical observation in order to obtain evidence or information pertinent to an investigation. It is a method which should be employed only when simpler and more economic procedures are not conducive to success. This method can produce accurate direct information but usually requires a considerable amount of planning, preparation, and extensive expenditure of manhours by trained personnel. It is used to amplify known data, confirm or refute allegations, obtain leads upon which to base further investigation, or provide protection.

4-24. Objectives

Surveillance is often employed by investigators as an aid in achieving investigative objectives which vary with the requirements of the case. The most common objectives of a surveillance are the following:

a. To learn the identity of persons involved in a given activity.

b. To obtain information for a subsequent interrogation.

c. To develop leads for further investigation.

d. To confirm or refute information furnished by informants or anonymous reports.

e. To obtain admissible legal evidence for use in court.

f. To obtain "probable cause" for searches.

g. To locate deaddrops, meeting sites and postal boxes.

h. To check on the reliability of informants.

i. To prevent the commission of espionage or sabotage.

j. To provide background for undercover assignments.

4-25. Types of Surveillance

In counterintelligence operations, surveillances are commonly referred to by certain terms to indicate the relative intensity and sensitivity as well as the methods of execution. Inasmuch as a surveillance frequently includes a change of intensity or the simultaneous application of more than one method, it is inadvisable to treat these terms as inflexible categories.

a. *Category as to Intensity or Sensitivity.*

(1) *Discreet.* A discreet surveillance is one in which every effort is made to insure that the

subject remains unaware that he is under observation. Although every effort is made to gain as much information as possible, the paramount consideration is that the subject not become aware of the surveillance. Generally, the guiding rule is to discontinue surveillance rather than risk actions which make the subject aware of the surveillance.

(2) *Close.* A close surveillance is one in which maintaining constant observation of the subject is the paramount objective, even though he may become aware of the surveillance. Surveillance to provide protection is frequently of this nature inasmuch as the subject is generally the person to be protected.

b. Category as to Method.

(1) *Fixed.* A fixed surveillance is one in which the surveillant(s) remains in a relatively fixed position to observe the activities at a specific location.

(2) *Moving.* In a moving surveillance, the surveillant(s) follows the subject from place-to-place to maintain continuous watch over his activities. The movement may be by foot, or by vehicle, to include land, water and air, or any combination of these.

(3) *Technical.* Technical surveillance is accomplished by the use of technical visual devices, electronic equipment, and photography. Chapter 5 and the classified supplement to this manual, FM 30-17A, discuss techniques and procedures employed for this and other investigative purposes.

(4) *Combination or Mixed.* A combination of technical, fixed and moving surveillances are usually the most expensive in terms of money and personnel but will usually achieve the best results. Two of the most common are the progressive and checkpoint surveillance.

4-26. Preparation for Surveillance

Regardless of the purpose, sensitivity, or method of a surveillance, the degree of success or amount of information obtained is generally proportionate to the thoroughness of advance planning and preparation. Although short advance notice of the requirement for a surveillance is sometimes necessitated by the sensitivity or criticality of the information to be obtained, the following planning and preparatory measures should be taken to the extent time permits.

a. Area and Target Study. All available infor-

mation on the area in which a surveillance is to take place should be studied and analyzed. The areas in which the subject lives, works, and spends leisure time must be considered. If possible a reconnaissance should be made of the road, transportation, and traffic systems in areas in which a moving surveillance is anticipated. The nature, location, and types of buildings likely to be encountered during a surveillance should be considered. Study of the subject should include physical description, manner of dress (with emphasis on peculiarities contributing to ready identification under various conditions, particularly from the rear), habits, interests, probable degree of suspicion that he might be under surveillance, type of transportation generally used, names and addresses of likely contacts, financial status, walking gait, and other factors which will aid in pinpointing problems to be encountered by the surveillants. More extensive preparations, including such things as renting a room or an office in the area, studying the physical characteristics of the building, procuring technical equipment for observation and communication, and establishing a cover or plausible reason for being in the area will be required if the fixed surveillance is to continue over an extended period of time.

b. Surveillance Plan. Once surveillance has been directed and the area and target have been studied, a plan for execution should be developed. The plan must establish the number and type of personnel required, the general and specific instructions for the surveillants to insure that the overall objective of the surveillance is understood, and the operational limitations or special instructions which may have been imposed. The plan must assign specific tasks to teams or individual surveillants, provide for administrative and logistical support, prescribe communication methods and procedures, and establish necessary control measures. The degree of complexity of the operation and the time available will determine whether the plan is formal or informal, oral or written. The plan should be sufficiently detailed to prevent misunderstanding and confusion, but it should not be so restrictive as to eliminate all flexibility or to preclude the exercise of all initiative by individual surveillants. Every possible contingency should be visualized in planning and preparing for a surveillance; however, mobile surveillants, in particular, must not be overburdened with special equipment.

c. Selection of Personnel. Selection of personnel to participate in a surveillance must be done

with care, as an unqualified person can readily compromise the task and perhaps make other facets of the investigation even more difficult. If a choice must be made between conducting a surveillance with an inadequate number of qualified surveillants and a full complement which includes several unqualified personnel, the former choice is preferable. The principal qualifications of surveillants include:

(1) *An inconspicuous appearance.* An otherwise qualified person must be disqualified from participation if he has some outstanding physical feature or possesses mannerisms which will draw attention to his person.

(2) *Ability to remain unnoticed.* The surveillant must be able to blend with his surroundings in a wide variety of environmental conditions. Thorough area and target study contribute to the surveillant's success in adapting himself to varying circumstances without attracting attention to himself.

(3) *Resourcefulness.* The surveillant must be able to meet unexpected situations with poise and presence of mind. Resourcefulness is especially valuable when it is necessary to locate a subject who has eluded or otherwise become lost to the surveillant(s).

(4) *Patience and physical stamina.* Nearly every surveillance will include long periods of relative inactivity during which the surveillant must remain alert and prepared for an eventuality.

(5) *Keen sensory perception and retention memory.* The surveillant must develop the ability to examine systematically what he sees or hears so that details will register clearly in his mind. Opportunities for making notes may be limited, and a good memory for details is a very valuable attribute.

(6) *Prior surveillance experience.* It is essential that a maximum number of participating personnel have previous experience in surveillance. The details and techniques required, particularly for team operations, cannot be learned completely from textbooks or by participating in a few exercises. Experience must be gained in simple surveillance of less sensitive subjects and in protective surveillance operations of a more routine nature. A CI unit in an area where surveillance can be anticipated should maintain one or more surveillance teams of Special Agents. The success of a team surveillance is frequently dependent on the experience gained through work-

ing together. Practice surveillances serve to perfect the coordination of team members.

d. Personnel Limitations.

(1) In overseas areas, it frequently will be necessary to use indigenous personnel as surveillants since US personnel in some areas or locales would be conspicuous. These natives should have the appropriate physical characteristics, customs, dialects, economic status, and other characteristics necessary in the area concerned.

(2) When indigenous personnel are used, US personnel should be used as the control and supervisory element of the surveillance team, as well as for other broad aspects of the surveillance effort. These indigenous personnel should also be full-time employees of the MI unit. This will insure, as fully as possible, their loyalty to the unit. Their association with the unit must not be well-known to avoid compromise and should not be normally used in surveillances involving American personnel.

(3) The US surveillance team commander should participate in the surveillance for control purposes but he should stay in the background. The team commander should be familiar with the language, racial characteristics, and other social aspects of the area. He must train the indigenous surveillants in his general method of operation.

e. Administrative and Logistical Arrangements. These arrangements will require advance planning and preparation to support a surveillance. They include, but are not limited to, the following:

(1) Relief from other duties and issuance of appropriate orders, when required, for surveillance personnel.

(2) Procurement of any special documentation which may be required.

(3) Provision of funds to cover projected and contingency expenditure.

(4) Arrangements for transportation for moving surveillance as well as transportation to and from fixed observation points.

(5) Special supplies, such as special clothing, photographic equipment, audio and communications equipment, and similar logistical items.

(6) Arrangements for the surveillants to eat, if it would be unwise for them to enter restaurants, or if they cannot get to an eating establishment.

(7) Issuance of firearms if necessary or required.

(8) Preparation of a cover story to explain the surveillants' presence and activity in given areas (ditch diggers, surveyor, traffic counters, etc.).

(9) Details on shift changes planned well in advance.

f. Communications and Control Arrangements. The success of a surveillance is frequently dependent upon a reliable means of communication between the control element and the surveillants. Radio, telephone, sound, or visual signals may be employed alone or in combination. Aerial and visual signals to be used between the surveillants must be developed carefully to allow flexibility and preclude compromise and must be practiced to insure recognition during an actual surveillance. When possible, radio communication should be established as the primary means of communication between operating elements and the surveillance control point. Under certain conditions, consideration should be given to the use of secure communications systems such as operational codes and voice security equipment. Regardless of the communication arrangements, it is essential that one central point be established for direction and control of operations at all times. The chain of command must be clearly prescribed from the individual surveillant to the control point.

4-27. Conduct of Surveillance

a. Fixed Surveillance. A fixed or stationary surveillance may vary from intermittent periods of short observation to a carefully prepared observation point operated on a 24-hour basis over an extended period. It may be conducted from an outside standing post, a vehicle, or within a building. It often includes the use of photographic equipment, and frequently a technical surveillance is also involved. Surveillance from a fixed observation point is physically and mentally exhausting. If the observation is to continue over too long a period, arrangements for frequent relief should include provisions which will allow the relief surveillance personnel to arrive and the relieved personnel to depart without attracting such notice as might compromise the surveillance. If a fixed vehicular surveillance is used in a neighborhood at night, the car doors should be opened and closed since people unconsciously listen for car doors to close after hearing a car stop.

b. Moving Surveillance.

(1) *Foot surveillance.* When a foot surveillance is employed, it is essential that it be conducted by a team rather than by an individual surveillant. There may be a few occasions when a foot surveillance has to be conducted with only one surveillant, but these are exceptions. The general inadequacy of results obtained and the greater risk of compromise militate against the use of a lone surveillant who normally will conduct a fairly close surveillance.

(a) *ABC method.* The most common procedure for the foot surveillance is referred to as the "ABC" method (fig 4-1). One member of the team takes a position (A) a short distance (distance will depend on the environment, number of people in the area, and nature of the area) behind the subject(s). Another takes a position (B) behind A, and a third takes a position (C) on the subject's flank, usually across the street. If the team has other members, they follow behind B and C. Such a surveillance over an extended period of time may require replacement to prevent the subject from recognizing a surveillant. It is best to relieve the surveillance team one at a time at staggered intervals to insure continuity and avoid confusion. Prearranged visual and/or audio signals are usually essential to the success of a foot surveillance.

(b) *AB method.* A less desirable but acceptable technique for a foot surveillance is referred to as the "AB" technique where the surveillant directly behind the subject is again in the A position. The B position can either be behind A or on the subject's flank. When both surveillants operate on the same side of the street as the subject, and the subject turns a corner, A continues in the original direction and crosses the intersecting street. From his vantage point across the street, A will then signal the correct procedure for B to follow. B should not turn the corner or come into sight until he has received the signal. When B is operating across the street and the subject turns a corner to the right, away from B, B will cross the street behind the subject and take up the A position. This move should be prearranged, and no signals should be necessary. All visual signals employed should be discreet and consistent with the environment (fig 4-2). If the subject turns to the left and crosses the street toward B, B should drop back to avoid meeting the subject. B could go into a store or continue straight ahead. B should keep A in sight to observe his signals indicating what the next move should be.

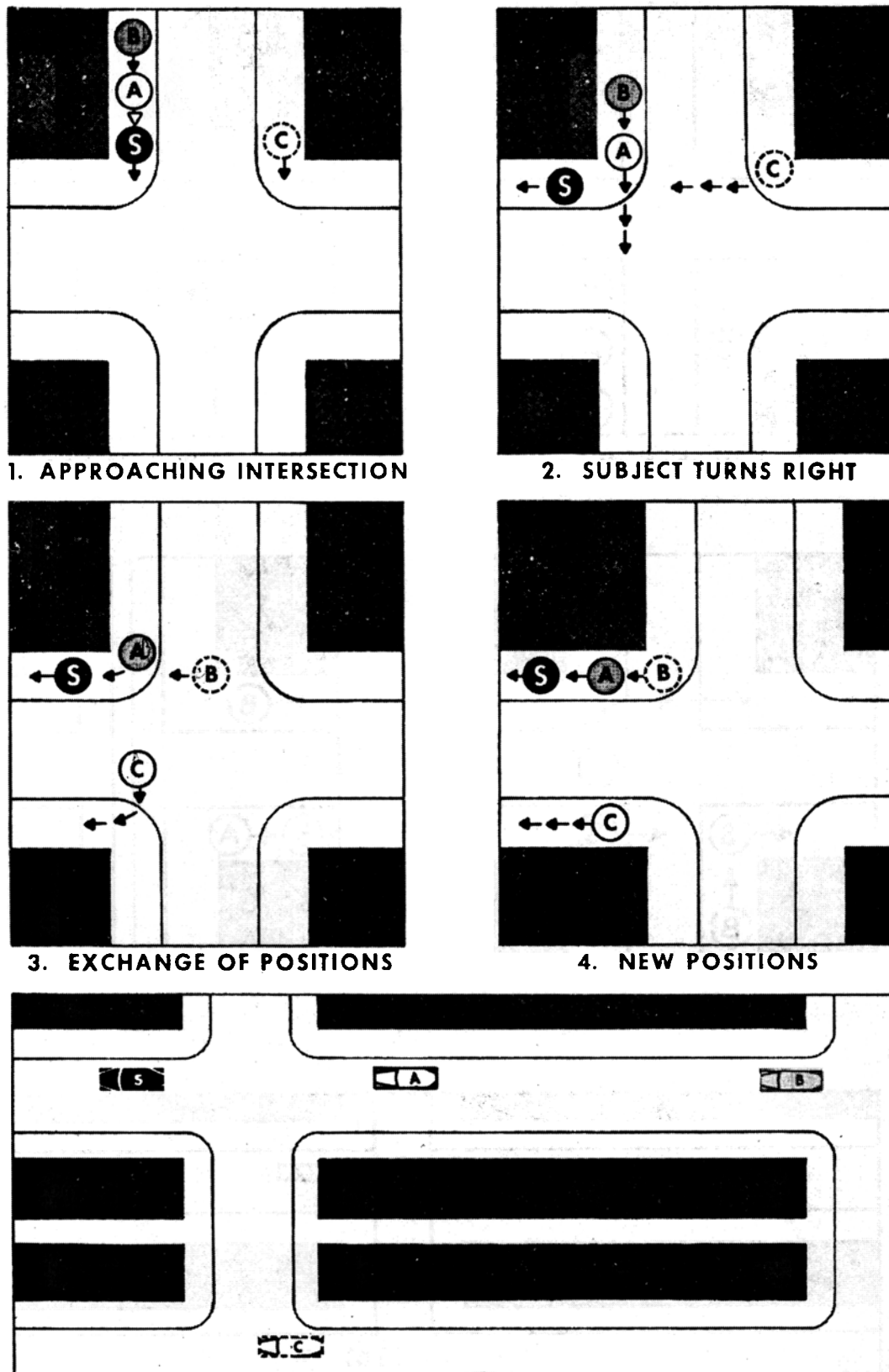
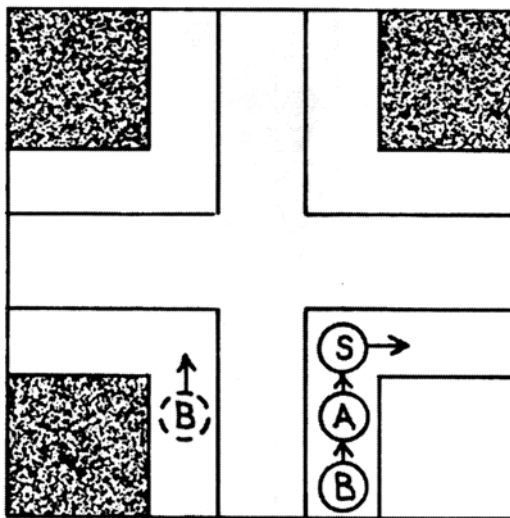
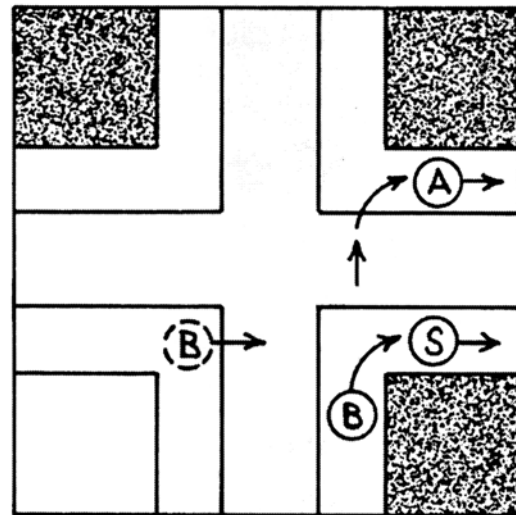


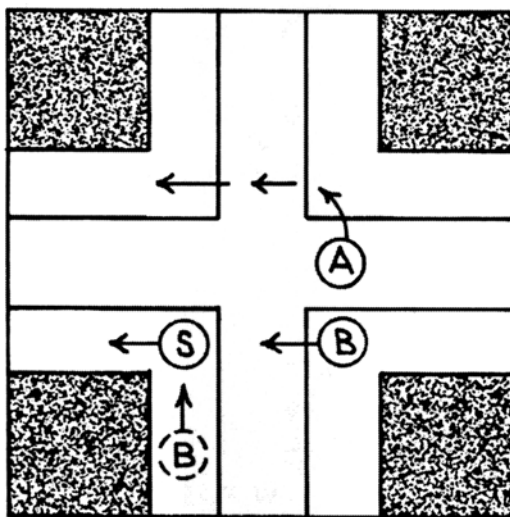
Figure 4-1. "ABC" method of surveillance.



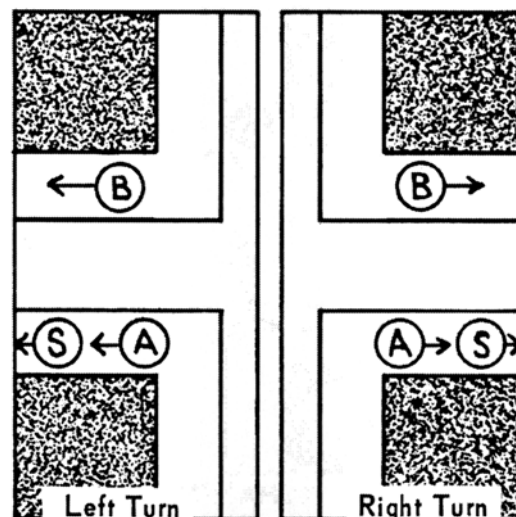
Approaching intersection



2. Subject turns right



3. Subject turns left



4. New positions

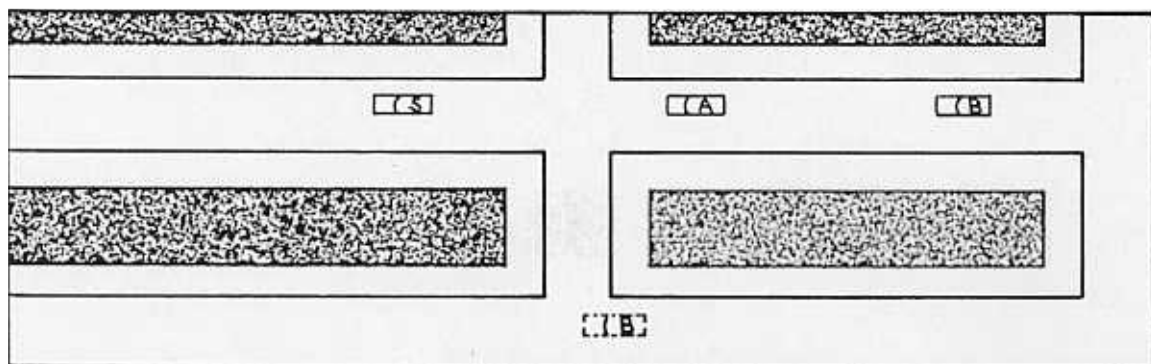


Figure 4-2. "AB" method of surveillance.

(c) *One-man method.* A one-man surveillance should be avoided in a moving surveillance because it does not provide for flexibility. Its best employment is in a fixed surveillance. If a moving one-man surveillance must be resorted to then the surveillant should operate to the rear of the subject when on the same side of the street, and keep as close to the subject as possible to observe his actions. Crowd and street conditions normally dictate the appropriate distance to be maintained between the subject and the surveillant, however, consideration must be given to the prevailing light conditions, the subject's evasive actions, and the Special Agent's personal desires. As a general rule, the more people on the street, the closer the surveillant stays to the subject. If the subject turns a corner in an uncrowded area the surveillant should continue across the intersecting street. By glancing up the street in the direction the subject traveled he can note the subject's position and actions, and act accordingly. The surveillant can then operate across the street from the subject, recrossing the street at his leisure to fall back in behind the subject. When the subject turns a corner on a crowded street, the surveillant should stop at the corner and unobtrusively observe the subject's actions. Unless the subject is standing just around the corner, the surveillance can be continued from the same side of the street. Whatever the conditions, however, the investigator should not turn a corner immediately behind the subject. When operating from across the street, circumstances will dictate whether to operate forward, to the rear, or abreast of the subject. It is best if the surveillant can be abreast of the subject when he turns a corner to enable the observation of any contact made or an entry into a building.

(2) *Vehicular surveillance.* Under most conditions, two or more vehicles are required to conduct a vehicular surveillance, although, traffic conditions permitting, one may suffice for a short period of time. The first car should remain some distance behind the subject with not more than one or two vehicles between it and the subject's vehicle if the traffic is at all heavy. The second car should be further behind or following a parallel route one or two blocks away (fig 4-1, 4-2). At times, one car may precede the subject; in any event, the surveillance cars should alternate positions frequently to reduce the chances of subject's recognition of the surveillance cars. These "profiles" can be changed by shifting occupants (front-to-rear or rear-to-front), adding or dropping an occupant, changing license plates, placing

packages on the rear window ledge or removing them from the ledge, or similar changes. In addition, frequent changes of cars must be considered. Radio communication between surveillance cars is normally available (FM 30-17A). If radios are not available, a set of visual signals must be arranged to coordinate the movement of the cars. Care must be exercised to prevent use of the radio equipment from attracting undue attention. When the driver is the only surveillant in the car, it may be useful to place a small tape recorder in the car with him which he can use for his notes instead of a distracting pad and pencil. Advance coordination of a vehicular surveillance with other agencies, particularly the police, is desirable and essential in some areas. The police need be informed only to a degree commensurate with security of the activity. To aid in identifying subject's vehicle under adverse traffic, weather, or light conditions, it may be possible to equip the subject's vehicle with some recognition device which the subject will not notice. For example, reflective tape could be placed on the vehicle's undercarriage, or one taillight could be replaced with one of higher intensity. Under certain conditions, it may be possible to use surveillance vehicles with direction-finding radio equipment, e.g., attaching a small transmitter to the subject's vehicle and thereby following or locating his vehicle by the transmitted signal. Vehicular surveillance must be practiced to achieve any degree of professionalism. The driver must gain experience so that he depends mainly on the other occupants of his car for observation, thus devoting his attention to the driving. Again, the ABC method is highly preferred, but in cases where only two vehicles can be employed, both vehicles should follow the subject at different distances on the same street, (fig 4-2) as in the AB method of foot surveillance. This technique can be varied by having one vehicle going in the same direction as the subject on a parallel street while receiving radio-transmitted directions from the surveillants directly behind the subject. This technique is more flexible than the one-vehicle surveillance in that two vehicles can exchange places from time-to-time, or one vehicle can precede the subject. If more vehicles and people are available, other techniques can be planned that are even more flexible. When one vehicle is used for surveillance it must remain far enough behind to escape detection. When the subject's vehicle turns a corner, the surveillants may continue to follow, or they may make one of two possible moves to help break up the following pattern (fig

4-3). They may continue in the original direction, cross the intersecting street and make a U-turn; the subject will take little interest in a vehicle turning into a street behind him coming from a direction that is opposite to that which he was traveling before turning the corner. An alternate move would be to continue in the original direction, crossing the intersecting street and continuing around the block. The subject will not expect to be under surveillance by a vehicle approaching him from a frontal direction.

c. *Mixed or Checkpoint Surveillance.* When the daily pattern of activity of a subject under investigation is relatively constant, a checkpoint surveillance can be employed. It consists of placing mobile, fixed, or technical surveillants at strategic points to mark the subject's progress from one point to another along routes normally used by the subject. Foot or vehicular surveillants, depending on subject's mode of transportation, can be placed to the rear and/or front of the subject but at a greater distance than is normally used in

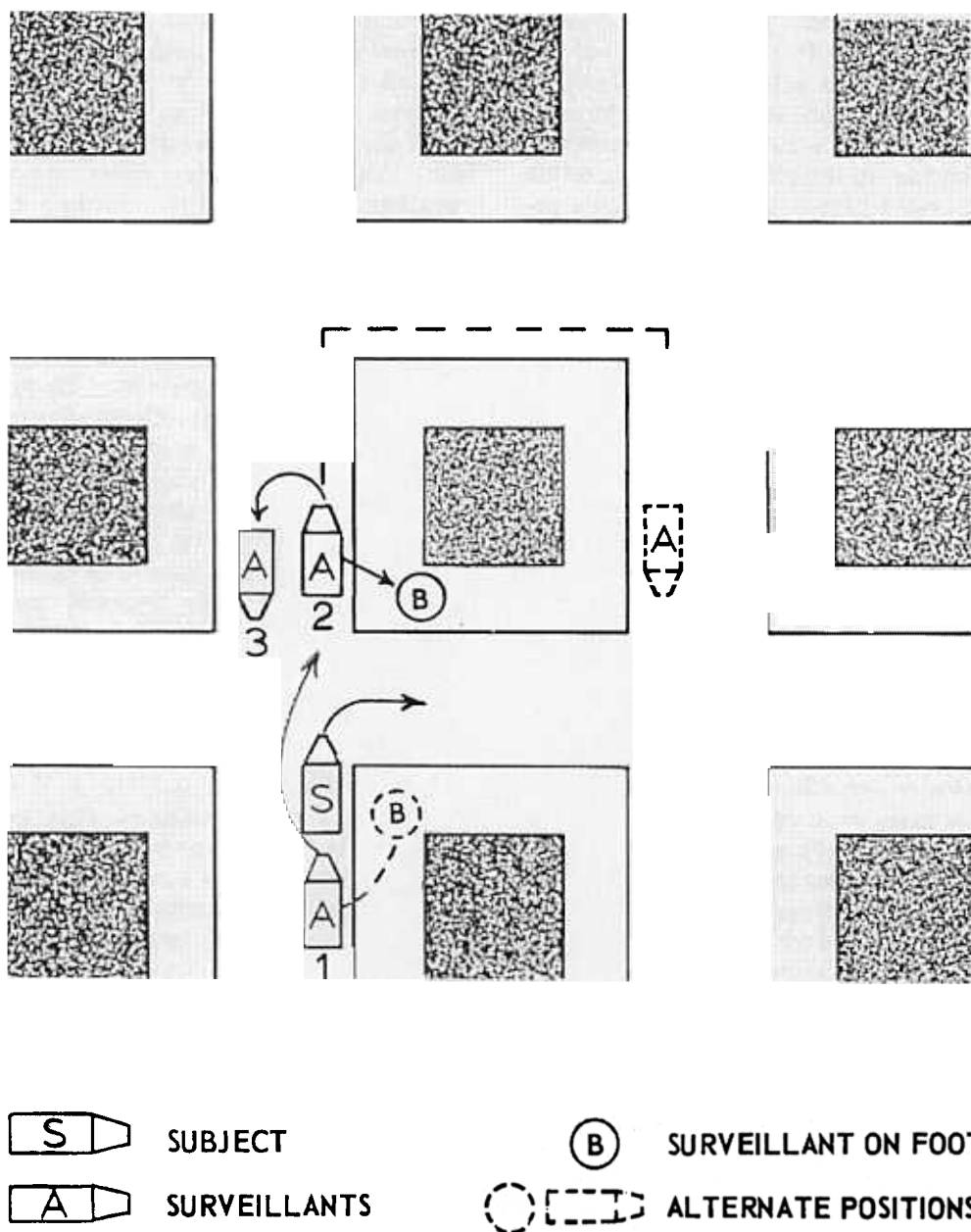



Figure 4-8. One-vehicle surveillance.



a discreet surveillance. When the subject deviates from his normal pattern, these floating surveillants would then proceed into a normal discreet surveillance. Many variations of this technique can be used.

d. Progressive Surveillance. Progressive surveillance is employed in cases when the experience and caution of an important subject make extreme care mandatory. Whether or not he notices any evidence that he is being followed and because of the importance of his mission, the subject will resort to every technique and subterfuge to elude possible surveillance. By following the subject only a short distance each day, the surveillant minimizes the probability of detection by the subject. This type of subject will be most cautious when emerging from his home or office, and for the first several blocks, or comparable distance, will take measures to elude surveillance. After subject's residence, office, or other starting point has been located, the surveillants, generally by trial and error from day-to-day, pick up the subject some distance from the starting point and follow or observe him only a short distance on the first day. On the second day, the surveillants endeavor to pick up the subject at the time and place they left off the day before, and then follow or observe him a short distance to a new point. If the subject varies his daily routine once in a while, this method will be painfully slow, but it will eventually lead the surveillants to those contacts which the subject is trying to keep secret.

4-28. Surveillance Techniques

Although no predetermined solution can be established for all situations encountered during surveillance, there are several general guidelines which will aid in determining action to be taken in situations which are commonly encountered.

a. Identification. The subject should be pointed out to all members of a surveillance team, although in some cases a picture or detailed description must suffice for identification purposes. Each surveillant must study the subject's physical appearance and mannerisms so that identification under all conditions will be facilitated. Do not rely on subject's dress for identification.

b. Remaining Inconspicuous. The surveillant must be constantly aware of his surroundings to be able to proceed with an apparently natural and deliberate act if the subject should approach him directly or evince undue interest in his actions. Entering a business establishment, asking

directions of a passer-by, or merely pausing to light a cigarette are examples of natural actions which may allay the suspicions of the subject. Minor changes in dress to present a new pattern of appearance also contribute to maintaining an inconspicuous appearance. Such things as putting a rolled up newspaper in a topcoat pocket, changing from a necktie to a bowtie, wearing or removing a hat or spectacles require little time and are very effective in altering an appearance outline of the individual.

c. Encountering Acquaintances. During a surveillance over an extended period of time, a surveillant may encounter acquaintances or even members of his own family while he is engaged in following the subject. The general rule in such cases is to avoid recognition and ignore the presence of the acquaintance or relative if at all possible. If this cannot be done the surveillant must be prepared with some acceptable excuses for limiting the encounter to a brief natural exchange which will permit him to continue the surveillance without interference. Encounters of this nature are to be expected and prior plans must be made through prearranged signals to those assisting for any changes that may be required.

d. Eye Contact. Normally the surveillant should avoid any direct eye contact with the subject, since the impression made on his subconscious mind may be manifested in later recognition and consequent suspicion. However, a hasty deliberate move to turn aside when confronting the subject is an unnatural and obvious action, which may make a deeper impression than direct eye contact.

e. Using Conveyances.

(1) *Taxicab.* If the subject enters a taxi, the surveillant should attempt to obtain another cab or vehicle in which to follow. In a large metropolitan area, it is possible that any taxi driver will accept instructions to follow another car without question or evidence of special interest, particularly if his efforts are rewarded with a more substantial tip. However, the surveillant should be prepared in all cases to provide the driver with some innocuous but logical explanation if the driver is reluctant to comply with the request. If necessary, the presentation of credentials or badge for this purpose may be effective, but this procedure will be governed by prior instructions from the unit controlling the surveillance. If the surveillant is unable to obtain any

vehicle to follow subject's taxi, he should note the name of the cab company, the cab number, license tag number, and the time and place of loading. This information should be relayed to the surveillance control point as soon as possible, to determine, if required, subject's route and destination through the appropriate cab company and/or authorities.

(2) *Bus or streetcar.* The surveillant should try to enter the same conveyance as the subject and position himself to the rear of the vehicle and behind the subject. If he misses the bus or streetcar, he may be able to use a taxicab or other means to overtake and board the bus or streetcar at a subsequent stop.

(3) *Plane, bus, or railroad.* If the subject enters a station or terminal and purchases a ticket, the surveillant should discreetly attempt to obtain as much information as possible regarding the trip. A position in line one place removed from the subject will often afford the opportunity to overhear the discussion between the subject and the clerk without any indication of obvious interest. The limits imposed on the surveillance will govern whether or not the surveillant purchases a ticket and follows subject on his trip. In many cases, an air shuttle will arrive sooner than a scheduled airline and can be used in getting to the destination ahead of the subject for resumption of the surveillance or for boarding the same aircraft with subject. The ease of boarding air shuttles will alleviate certain surveillance requirements. If the surveillant is not to follow subject, he should attempt to obtain as much of the following data as possible so that the surveillance may be resumed by another counterintelligence unit either en route to or at subjects' destination:

(a) Description of subject's dress, emphasizing outstanding items which might facilitate recognition.

(b) Description of hand baggage and hold baggage.

(c) Date and time of departure and date, time, and place of arrival at destination.

(d) Name and number of the train, plane flight, or bus and type of accommodations (coach, sleeper, first class, etc.).

(e) Any other details which will facilitate resumption of surveillance en route to or at destination.

f. Entering Buildings. The size, nature, and surrounding locale of buildings entered by sub-

ject are significant considerations in determining further action.

(1) *Small building.* If the building has exits which can be kept under observation from a discreet outside position, the surveillant normally should not enter. However, if the previous pattern of activity indicates that the subject may make a contact or engage in some other action pertinent to the investigation, the surveillant should enter by an entrance other than that used by the subject, or otherwise convey the impression that he has arrived at the building from a different direction than the subject.

(2) *Large building.* A surveillant normally will follow the subject into a large building such as a department store or office building. Within the building, the surveillant must take advantage of the building layout to observe subject without attracting attention to himself. Magazine and cigar counters in office building lobbies will often afford cover for the surveillant's actions immediately after he enters the building. If the subject enters an elevator, the surveillant should also enter if there are passengers and the subject is unsuspecting. The surveillant may ask for the floor below or above that requested by the subject. In the latter case, the surveillant should then use the stairs to reach the same floor as the subject in order to resume his observation. If the elevator is used and the surveillant gets off on the same floor as the suspect, the surveillant should immediately move to a particular counter or department on that floor. Loiterers are conspicuous. If the subject enters an elevator as an only passenger, the surveillant should remain in the lobby and determine subject's destination by watching the floor indicator. Surveillance can then be resumed by using either the stairs or the elevator to reach the same floor as the subject.

(3) *Hotel.* If the subject registers at a hotel, the surveillant should attempt to ascertain the room number by observation of the registration process from a discreet distance. Since the room keys are normally maintained on a numbered board or in boxes directly behind the clerk, it is usually possible to observe which key is withdrawn and given to the subject. The surveillant should exercise caution in seeking the assistance of hotel staff personnel to obtain a room adjacent to the subject, monitor his mail, obtain a record of incoming calls or telegrams, examine the register, or take any other action connected with the investigation. In overseas areas in particular, hotel staff personnel frequently have ties with in-

telligence and subversive organizations. The unit SOP or policy on such matters must be known thoroughly by the surveillant.

(4) *Motel.* If the subject's vehicle enters a motor court, the surveillant should not follow immediately, but from a discreet distance he should attempt to observe if the subject registers and to which cabin or unit he proceeds. Should it then be determined advisable for the surveillant to also register, he must exercise caution. He has not only the problem of remaining inconspicuous himself but he must keep his vehicle from attracting subject's attention. Many motels are similar to hotels; in such instances, the same guidelines will apply.

(5) *Restaurant.* When the subject enters a restaurant, the surveillant must seat himself out of the direct view of the subject but with a view of the subject. If the subject is accompanied by others, and thier conversation is deemed to be of probable interest to the investigation the surveillant should attempt to place himself within hearing distance. The surveillant must give attention to the type of service ordered by the subject and govern his own order accordingly to insure that he will be able to pay his check and depart from the restaurant without disrupting the surveillance when the subject leaves. In some instances, the departure of the subject can be anticipated, and it may be advantageous to pay the check and leave ahead of the subject, provided that this can be done without attracting the subject's attention.

(6) *Telephone booth.* When the subject enters a phone booth, the surveillant must consider the following possibilities of gaining information which may contribute to the investigation:

(a) It may be possible to use a adjoining booth to overhear the conversation of the subject.

(b) The subject may leave the phone book open to the page containing the name of the person called, or he may note the number on the phone booth wall or a slip of paper which can be retrieved by the surveillant.

(c) The surveillant may be able to ascertain the number called by observing the dialing action of the subject. If the number of coins deposited indicates that the call is long distance, the surveillant should note the exact time of the call and obtain the telephone number of the booth from which the call was placed to aid in an attempt to trace the call.

(d) The time spent in the phone booth by the subject will afford the surveillant an excel-

lent opportunity to find a suitable point from which to make a photograph, if required, as the subject emerges from the booth.

g. *Subject is Lost.* If the subject is lost during the surveillance, the first action is to report this fact to the surveillance control point. Relocating the subject is most often accomplished by studying the pattern of his prior actions and establishing temporary fixed surveillance at points he is most likely to visit. If the loss-of-contact took place during a moving vehicular surveillance, it is often possible to resume observation by systematically searching the general area where subject disappeared, using lookouts at major intersections, and giving special attention to parking lots and sidestreets. Subject may also reappear in the area where he was last seen. Pretext calls to his home or office may also locate his whereabouts. The use of a square or box pattern in the area where the subject was last seen may also yield results if radio communications are available for reassembling the surveillance team should subject be located by a single surveillant. Assistance from police or other authorities should not be requested without approval from the surveillance control point.

h. *Compromise of Surveillant.* If the subject of a discreet surveillance clearly indicates by his actions that he has become aware of the surveillance, the surveillant should withdraw from the area, discontinue the surveillance, and notify the control point. The surveillant should insure that his departure from the area is conducted in an unobtrusive and natural manner, regardless of the degree of his certainty of compromise. The surveillant must always be prepared to offer a logical response if confronted by the subject and accused of following him. In such case, a good offense is often the best defense; a belligerent denial of the allegation, coupled with a threat to summon police, may succeed in deceiving the subject. If an incident or occurrence draws the subject's attention to one or more of the surveillance team members, those members must drop from the team and withdraw from the area. Possible recognition of a team member or members at a later date could be avoided by this action. Eye contact between a surveillant and the subject is usually sufficient cause for the surveillant to drop from the team.

4-29. Detecting Surveillance

It is important for the Special Agent to know various means of detecting surveillance so that he

will recognize such action when taken by the subject of a surveillance, but also so that he may employ these devices himself en route to covert meetings, cover locations, or other locations when he desires to insure himself against surveillance. Some of the most common and effective means of determining if a surveillance is in progress are—

a. Use of a "Convoy". A person who suspects he is under surveillance, or who anticipated surveillance, may employ the services of one or more colleagues to follow him at a distance to determine if he is being followed. The assistant is termed a "convoy" or countersurveillance. This means is one of the most effective in detecting surveillance.

b. Retracing Course. By changing direction of movement several times in a short span of time and retracing his course, a person who suspects surveillance may be able to determine if he is being followed. This procedure is equally effective for detecting foot or vehicular surveillance.

c. Window Reflections. In business districts, a subject concerned about a possible surveillance may pause in front of a large show window for the ostensible purpose of window shopping, and then observe the reflections of passers-by to spot indications of surveillance.

d. Use of Bait. The subject may throw away a scrap of paper, an envelope, or some similar item which would be of interest to anyone following him. He will then use window reflections or a similar means of observation to determine if anyone retrieves the bait.

e. Change of Pace. In areas where pedestrian and vehicular traffic is relatively sparse, the subject may detect surveillance by moving very slowly for a distance, then changing to a very rapid pace, and later again changing to a slow pace. The subject may couple this procedure with a sudden stop after turning a corner in order to observe the actions of those behind him. These procedures may be encountered in both a foot surveillance and a vehicular surveillance.

f. Actions on Public Conveyances. On conveyances, a person who suspects or anticipates surveillance may employ a variety of actions to test for the presence of surveillance.

(1) The subject may board the conveyance, pay the fare, and then get off just as the vehicle starts to move, observing the actions of others who have boarded at the same stop to see if anyone attempts to follow.

(2) The subject may leave the conveyance in an area with little pedestrian or vehicular traffic and then loiter in the area to determine if a suspected surveillant dismounts at the same stop, or the next one.

(3) The subject may board several successive conveyances along a single route within a short period of time and watch for faces which reappear.

g. Automobile Tactics. If the subject of surveillance is driving an automobile, he may use traffic signals and other controls to advantage to determine the presence of surveillance vehicles. For example, he may time his approach to a traffic light so that he will pass through the intersection just as the light turns to red and then watch the rearview mirror to determine if any other vehicle commits a deliberate traffic violation in order to follow him. He may also drive the wrong way on a one-way street, feign motor trouble in a sparsely traveled area, or employ a wide variety of other tactics to test for surveillance.

4-30. Eluding Surveillance

Many subjects who suspect surveillance, or because of the clandestine nature of their activities, expect it, will take steps to elude the observation. Common and effective measures for eluding surveillance include—

a. Entering and Leaving Crowded Buildings. In business areas, a person seeking to evade surveillance can usually succeed with little difficulty by hurrying in and out of crowded buildings and taking advantage of multiple entrances and exits found in larger buildings.

b. Concealment. The subject may elude his surveillance by dodging into an available entrance immediately upon rounding a corner and disappearing. Entry into apartment buildings for this purpose can usually be gained by pressing a number of bells to the various apartments. At least one person will usually respond and release the entry latch, after which the subject may enter, remain concealed, and later depart by using a rear entrance.

c. Use of Decoy. The subject may engage a substitute of like physical appearance to act as a decoy to mislead the surveillants. This technique can be employed most effectively when the decoy is put into service from the subject's place of residence or of employment, as surveillants are less

likely to doublecheck identification at such points.

d. Change of Appearance. The same tactic employed by a surveillant to avoid becoming conspicuous can be equally effective for the subject seeking to elude surveillance. Changing appearance is particularly effective where, because of crowds or limited visibility, the surveillants are

forced to rely on color of clothing or silhouette to maintain contact.

e. Dodging. Pursuing an erratic course through dense pedestrian or vehicular traffic is effective, particularly when traffic controls are used to the maximum advantage.

Section VII. COLLECTION AND HANDLING OF PHYSICAL EVIDENCE

4-31. General

a. Physical evidence is tangible in nature and recognizable in form. It tends to prove or disprove a fact in dispute. It includes all articles and material collected in connection with an investigation to establish the identity of the perpetrator and the circumstances under which an incident occurred. These articles and material are used to aid in the prosecution of the offender or in other termination of the case. Physical evidence may be encountered in any type of counterintelligence operation, and its importance is not limited to those investigations likely to result in a court trial. Physical evidence of probative value is often essential to the proper determination of administrative action such as the granting of a security clearance, the issuance of a visa for entry into the United States, or the admission of an alien into the Armed Forces.

b. It is not expected that every Special Agent will be an expert in physical evidence. The analysis of various substances normally will require the services of one or more specialists such as ballistics experts, chemists, and fingerprint technicians, to fully identify the substance as contributing to or not contributing to the crime. However, the Special Agent should have a general knowledge of the value, limitations, and characteristics of physical evidence and should be able to recognize, collect, handle, and preserve evidence encountered during the course of investigation. The following publications will be of value for reference and training purposes: AR 190-22, FM 19-5, FM 19-20, Army Subject Schedule 19-29, and Technical Bulletins of the Provost Marshal General (PMG)-series. He should also be familiar with the procedures of his unit for obtaining the assistance of appropriate experts and laboratory facilities.

4-32. Documentary Evidence

Documents are the most common items of physi-

cal evidence encountered by counterintelligence personnel. Manuscripts, magnetic tapes, records, files, reports, sworn statements, photographs, video tape movies, pamphlets, maps, sketches, passports, identity papers, and similar documents are likely to be collected in counterintelligence operations.

a. Questioned Documents. Questioned documents are those whose validity is disputed. FM 19-20 describes various categories of questioned documents and types of assistance available from criminal investigation experts and laboratories. This assistance may be obtained through liaison with the appropriate provost marshal's office.

b. Documents Containing Codes and Ciphers. Codes and ciphers (cryptography) are often used in communications between operational elements of espionage agencies. Unless the key to the system has been obtained, the investigator should not expend any time attempting to decrypt the message. The document, along with a history of the circumstances under which it was obtained and a brief summary of the related investigation, should be given to the nearest United States Army Security Agency (USASA) unit in accordance with FM 30-15.

c. Documents Suspected of Containing Secret Writing. Secret writing or the concealment from visible detection of written material by means of invisible inks, specially treated papers, microphotography, and similar systems, are also important facets of espionage communications systems. Documents taken from espionage suspects, or otherwise obtained under conditions indicating the possible presence of secret writing, should be tested for indications of secret writing. FM 30-18 and DIAM 58-11 contain guidance on the handling of documents suspected of containing concealed writing. No attempt should be made to recover any secret text. The material should be forwarded to a facility or agency where the expertise is available.

4-33. Other Types of Evidence

Traces and clues often may be found in the form of latent fingerprints; firearms and ammunition; indentations made by tools, tires, or shoes; and from deposits of foreign substances such as fibers, soil, and stains.

a. Fingerprints. Fingerprints offer one positive means of identifying individuals since they never change throughout a person's lifetime. Surface fingerprints can be transferred, photographed, and developed by various techniques, thus providing invaluable evidence for purposes of identification. Detailed consideration of fingerprint patterns and methods of collection and preservation are included in FM 19-20. Assistance of fingerprint experts of the criminal investigation elements of the area provost marshal may be obtained through liaison.

b. Indentations and Fractures. Physical impressions and indentations left in various media are often of value as evidence; e.g., footprints, tool marks, and markings left on ammunition by the weapon from which it is fired.

(1) Tire imprints may identify a particular vehicle by association of the brand, amount of wear, and unique scars. Direction of travel can often be determined from the direction in which sand, soil, or water was thrown; the speed, from the distinctiveness of the track; and the weight of the load, from the depth of the track.

(2) Footprints may reveal direction and speed of movement, sex, approximate height and weight, and physical deformities. In addition, the brand of footwear may be apparent and provide additional leads.

(3) Firearms and bullets have individual characteristics which are subject to scientific examination for identification purposes. Each firearm and each bullet fired therefrom has individual characteristics which may be detected by expert examination under a microscope. The weapon will have on it the name of the manufacturer, a trademark, serial number, and possibly fingerprints or distinctive features. When discharged, a cartridge casing and bullet will have such characteristics as scratches or indentations associating them specifically with a particular weapon.

(4) Tool marks sometimes indicate the type of instrument used, since frequently impressions or abrasions will be apparent at the place of use. The presence of such marks may constitute im-

portant evidence in the investigation of security violations in which forced entry is apparent.

(5) Glass fractures, if examined by an expert, may reveal the direction of the blow or the type of instrument employed to break the glass. The nature of a projectile which pierced the glass can sometimes be identified. Since each type of glass has peculiar characteristics, examination may serve to identify the manufacturer of the glass and thus provide leads in some investigative situations.

(6) Serial numbers and trademarks are impressed by manufacturers on many items. Normally they are found on weapons, high-grade locks, watches, binoculars, precision instruments, power tools, and automobile engines. If the original number has been obliterated, a crime laboratory can often bring it out.

c. Fibers. Hairs and fibers have distinctive characteristics which may be useful in identification. They may be classified as animal, vegetable, mineral, and synthetic.

(1) Animal fibers include hair, wool, silk, and fur. Each type can be distinguished from another and many types have individual characteristics which permit further differentiation. By study of the diameter and texture of a human hair, for example, determination can sometimes be made of the race, sex, and general age of the individual.

(2) Vegetable fibers include cotton, linen, jute, and sisal, each of which has its own distinction such as color of dye and number of strands per thread.

(3) Mineral fibers include glass and asbestos.

(4) Synthetics have expanded much beyond the well-known rayon and nylon, but each can be distinguished from other types by laboratory analysis.

d. Soil and Stains. Samples of soil can provide information of value when examined microscopically and chemically. Study may indicate a difference between soil and dust, the latter being composed chiefly of vegetable fibers. Soil analysis may reveal the geological source or general origin, and at times a specific area of origin. Stains resulting from any cause are susceptible to analysis in a laboratory. They may be identified as food, vegetable matter, grease, oil, paint, rust, or body fluids.

e. Laundry Marks. Dry cleaning, laundry, and other clothing or linen marks, whether they be

made with indelible or invisible ink, may provide valuable clues in identification. Police usually maintain records which can help with this type of identification.

f. Detective Dyes. Police at times employ dyes and fluorescent powders which can be dusted or sprayed on items likely to be handled by suspects. Some of these are virtually indelible; others, invisible, but susceptible to detection under ultraviolet light for prolonged periods after contact.

4-34. Handling of Physical Evidence

a. All counterintelligence personnel should be familiar with the material on evidence or evidentiary property contained in FM 19-20. A guide to the procedures for handling physical evidence is outlined in figure 4-4. The Special Agent acquiring items of physical evidence is personally responsible for their safekeeping until he turns them over to the designated custodian of unit evidence. The custodian is, thereafter, responsible for control of and accounting for such items. Normally an officer of the counterintelligence unit will be designated as custodian of evidence as an additional duty. For obvious reasons, evidence must be securely stored and protected from the time it is acquired to the time of its use in legal or other proceedings. When applicable, sufficient quantities of evidentiary materials must be acquired to permit laboratory analysis and use in court. For physical evidence to be admissible in a court of law, it is often necessary to establish that the evidence was part of, and found at, a particular place. For this reason photographs should be taken of the scene showing the position of the evidence in relation to that scene. The value of photography as evidence and pertinent rules are discussed in chapter 5.

b. Maintaining the chain of custody of evidence is important in that it permits proof that the piece of evidence collected at the scene is the same as that presented in court, that it was collected at the time specified, and that it was not tampered with or handled by unauthorized persons. The chain of custody is maintained by a receipt system for items of evidence. (DA Form 19-31 (Military Police Receipt for Property)). In addition to DA Form 19-31, classified items will also be covered by a security receipt. The use of DA Form 19-23 (Military Police Property Identification Tag), will provide for easy identification and inventory of property in custody.

c. For transmittal of classified evidence three wrappers should be used.

(1) *Inner wrapper.* The sealed container is wrapped and properly sealed. The following information should be placed on the wrapper: full address and return address of the transmitting agency; when appropriate, the notation "evidence—to be opened by laboratory personnel only"; and the classification of contents. Except for the addresses, these notations are placed on all six sides of the package. An envelope containing two additional copies of the evidence receipts, two copies of security receipts, plus two copies of the letter of transmittal, should be affixed to the inner wrapper.

(2) *Middle wrapper.* The package is then wrapped and sealed a second time. The markings are the same as for the inner wrapper except that no notation is made that the package contains evidence.

(3) *Outer wrapper.* The package is then wrapped a third time and again sealed. The outer wrapper bears only the two addresses. However, a special handling notation must be made if the evidence is perishable, flammable, fragile, explosive, corrodible, or corrosive.

d. The letter of transmittal for shipment of evidence to a laboratory will be prepared in accordance with instructions contained in FM 19-20 and the appropriate PMG technical bulletin. The following items are typical of appropriate data for inclusion in letters of transmittal of this type—

- (1) Warning that the package contains evidence.
- (2) Brief summary of the case.
- (3) Brief history of the evidence.
- (4) Specific list of items and their classification.
- (5) Clear statement of request explaining reasons for transmittal of the evidence.
- (6) Statement as to whether the evidence submitted has already been subjected to examination.
- (7) Special considerations or instructions.

4-35. Release of Evidence

Items of evidence will be released or disposed of in accordance with AR 190-22 and, in the case of classified items, in accordance with regulations governing the handling or release of classified material.

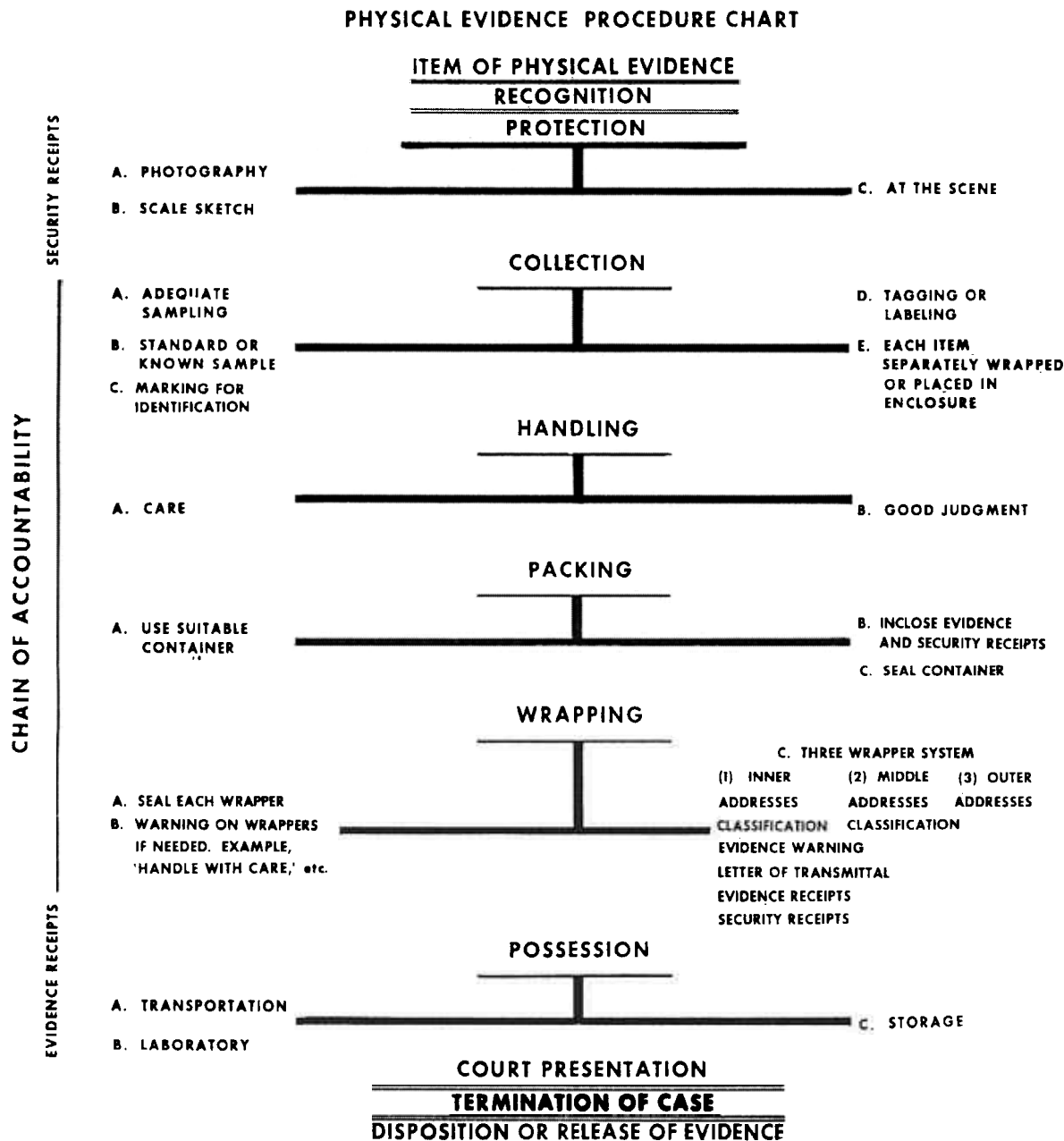


Figure 4-4. Physical evidence procedure chart.

Section VIII. THE SPECIAL AGENT AS A WITNESS

4-36. General

AR 381-103 discourages the use of counterintelligence personnel as witnesses at court trials. The regulation requires that prior to authorizing the appearance of counterintelligence agents in legal proceedings related to the results of counterintelligence activities, such appearance will be cleared

through the major Army command Staff Judge Advocate. However, infrequently the counterintelligence Special Agent will be called on at a military court-martial, military board proceedings, Federal court trial, or at a foreign court trial to relate certain facts he may have learned during the course of investigation. To be an effective wit-

ness, the Special Agent must be cognizant of what to expect when called to appear, and he must also be familiar with the procedures for taking testimony from a witness.

4-37. Procedures for Taking Testimony

a. Direct Examination. The side which calls an individual as a witness may elicit the information only by a direct examination of that individual. The direct examination has the sole purpose of bringing out the facts within the personal knowledge of the witness so far as that information is admissible under the rules of evidence. In general, the questions on direct examination cannot be leading; that is, they cannot suggest the form of the answer, assume a fact not testified to, or contain a conclusion of counsel.

b. Cross-Examination. After his direct examination, a witness may be cross-examined by the attorney for the opposing side. Cross-examination of a witness is a legal right and its denial is highly prejudicial to a criminal defendant. The purpose of cross-examination is to place direct testimony in its true context to avoid misleading the factfinding body, and to establish contradictions and improbabilities in the direct testimony in an effort to diminish or destroy the credibility of the witness. If a witness has indicated in a previously sworn statement that one fact exists, and on the witness stand tells a different story, the cross-examining attorney may point out the inconsistency during cross-examination and thereby attempt to impeach the credibility of that witness.

4-38. Appearance of the Special Agent as a Witness

a. Physical Appearance and Demeanor. When a Special Agent is called to appear as a witness, his physical appearance should be faultless, not only in his personal grooming, but also in posture and physical attitude when on the witness stand. He should adhere to all the normal courtesies of the particular tribunal and should maintain a professional manner and bearing. When testifying, he should speak clearly and distinctly so that his testimony will be heard and understood. He must take his time in answering questions, especially during cross-examination, so that he will phrase his reply clearly and concisely, thereby affording the attorney of the side which called him an opportunity to object to a question not proper under the rules of evidence. To be effective and persuasive as a witness, the Special Agent must treat

counsel for both sides of the case with equal respect and must not lose his temper, regardless of how trying the questioning may become.

b. Response to Questioning. On both direct and cross-examination, the witness must answer only questions asked by counsel and not volunteer other information. During cross-examination, in particular, the witness should be cautious in responding to questions which might tend to place him in an equivocal position with the intent of diminishing his persuasive effect on the factfinding body. Ordinarily, the witness must be positive in his answers, testify openly, and admit frankly when he does not know the answer to a question. He should be especially cautious in answering questions involving judgment, such as passage of time, speed of a moving vehicle, distance between objects, and similar questions. Because the answer to such a question is nearly always an estimate or approximation, the Special Agent should phrase his answer so as to make it clear that it is an estimate and not an exact answer. A positive, categorical assertion in answer to such a question may place the witness in a position where he will be made to appear ridiculous under cross-examination. If asked, the Special Agent should acknowledge that he has discussed the case with the attorney of the side which called him as a witness. This is normal procedure and does not imply collusion.

c. Use of Memoranda and Notes. Sometimes a witness does not remember an incident when he is questioned regarding it in a courtroom. He is permitted in such circumstances to refresh his memory from notes, statements, sketches, or other records he may have made at the time of the investigation of the incident. If his memory is refreshed, he then testifies of his independent recollection, answering the question posed. The witness must, however, be prepared to submit such memoranda or notes for inspection by the court of counsel.

d. Classified Information. Legally, if evidence is relevant and material to the prosecution or the defense of a case before a court, board, or other tribunal of the United States, its disclosure cannot be avoided on grounds of security. It is true that courts, boards, or tribunals would not force the individual to commit a violation (unauthorized disclosure of classified defense information), and in most instances the possibility or probability that testimony may involve classified information can be predetermined. In all such in-

stances, guidance must be sought by the Special Agent through his command channels from Department of the Army level. In counterintelligence cases, the decision to prosecute a case or to institute proceedings may involve weighing the effects of information disclosure against security consequences. Normally such a decision would be

made at Department of the Army level. In any event, as soon as he can anticipate being called as a witness involving classified information, the Special Agent must seek specific guidance and instructions. A legal proceeding does not relieve the Special Agent of his obligations under the provisions of AR 380-5.

Section IX. SPECIAL SITUATIONS

4-39. Use of Interpreters

Interpreters should not be used in briefing, debriefing, interrogation and interview if Special Agents fluent in that language are available, but in their absence, a properly cleared US or indigenous interpreter may be used. The selection of interpreters should be based on area knowledge, dialect, social status and personality as discussed in FM 30-15. The techniques for the use of interpreters are contained in that field manual. If at all possible, the Special Agent should record on magnetic tape all translations by the interpreter. He should then make random selections of translations for review, comparison, and evaluation at

a higher echelon by an American fluent in the language.

4-40. Interviews of Illiterates

Illiterate sources present a problem area for Special Agents. In general, illiterate sources should not be used unless the Special Agent concerned has had experience in handling illiterates. However, many situations will require the use of illiterates, e.g., walk-ins, low level agents, witnesses to incident or personnel security or complaint investigations. Techniques for the interview or interrogation of illiterates are contained in FM 30-15.

CHAPTER 5

TECHNICAL INVESTIGATIVE SERVICES

Section I. GENERAL

5-1. Introduction

Counterintelligence units normally have assigned to them, or available from CI units at a higher level, counterintelligence personnel skilled in audio surveillance countermeasures, defense against methods of entry, investigative photography, and operation of the polygraph. Although these personnel are trained and experienced as counterintelligence Special Agents, the demands for expertise in respective technical skills dictate the need for continued assignment in positions requiring these skills. It is the purpose of this chapter to describe generally the technical areas involved and encountered in counterintelligence operations so that all counterintelligence personnel will have sufficient knowledge in these fields to consider the use of the technical specialist assistance available to them. The employment of such personnel and their skills in support of counterintelligence special operations is discussed in the classified supplement to this manual, FM 30-17A.

5-2. Technical Fields

a. Audio Surveillance. Audio surveillance is the employment of electronic devices for the purpose of monitoring conversation, or other sound, as an aid in the conduct of investigative activities. In the United States and its territories, the use of wiretapping and electronic eavesdropping is strictly limited by the Fourth Amendment to the US Constitution, Section 605 of the Federal Communications Act of 1934, and paragraph 15.11 and 15.220 of the Federal Communications Rules and Regulations. Within the Department of the Army this activity is regulated by AR 381-17. Hostile intelligence services have employed audio surveillance techniques in espionage, sabotage, and subversion against the United States military. These operations must be prevented, or detected and neutralized, if a reasonable degree of military security is to be attained. Audio surveil-

lance countermeasures technical personnel are qualified to conduct both physical and electronic searches for clandestine listening devices, advise commanders on the existence of technical security hazards, and provide technical support of CI operations. A discussion of CI technical surveys and inspections is contained in chapter 11. The legal aspects are covered in chapter 3.

b. Surreptitious Entry. Surreptitious entry is any entry into a guarded or locked area or container and a departure therefrom without leaving a trace that such entry was made. In certain instances, surreptitious entry may violate the provisions of the fourth amendment and constitute a crime under burglary or housebreaking statutes. Persons caught in the course of such entry are liable to prosecution individually. Defense against methods of entry (DAME) technicians are qualified to recognize the relative security factors, delay capabilities, limitations or weaknesses of each type of lock, locking device, locking system, intrusion alarm systems, vault storage area and container, and electronic surveillance devices and systems, e.g., concealed video monitors.

c. Investigative Photography. The overt or covert use of photographic equipment to obtain evidence or information of intelligence value is an important technical investigative method. However, the circumstances involved in setting up the photographic equipment or in getting it into position may constitute a violation of US law, e.g., trespassing or an illegal search within the legal limits of the fourth amendment. Title 18, US Code 2236 is the primary statute of concern to photographic technicians. The local Judge Advocate Office should be contacted if any question exists. Although photographic technicians specially trained in investigative photography and photographic laboratory processing normally are available, all counterintelligence personnel should attain sufficient proficiency in photography to be

able to take acceptable photographs under normal conditions as well as video recordings and reproducing equipment.

d. False Documentation and Secret Writing. Falsified passports, identification cards, and other papers used by hostile intelligence agents to establish their cover and facilitate movement must be detected in order to enhance security. Of equal importance is the detection of secret writing used to transmit information and instructions between enemy agents and their control elements. Techni-

cal support and assistance in the detection of these techniques normally are available at the MI unit or higher headquarters.

e. The Polygraph. The use of the polygraph is invaluable as an investigative aid, but it should never be used as a substitute for further investigation. The conditions under which polygraph examinations may be conducted are set forth in AR 195-6. Trained polygraph examiners normally are assigned to military intelligence and counter-intelligence units.

Section II. AUDIO SURVEILLANCE

5-3. Audio Surveillance Systems

a. Any audio surveillance device, including those employed by hostile intelligence services, will consist of three basic components—

(1) *Pickup device.* A typical system involves a transducer, such as a microphone or similar device, to pick up the sound and convert it to electrical impulses.

(2) *Transmission link.* The impulses created by the pickup device are carried by a pair of conductors, such as wires, conductive paint or tape, directly to the listening post, or to a transmitter which converts the electrical impulses to a modulated radio frequency (RF) signal and transmits the signal to the listening post.

(3) *Listening post.* The listening post contains the necessary equipment to receive the signals from the transmission link and process them for monitoring and/or recording.

(a) *Detection and amplification equipment.* Weak signals from the metallic transmission links are amplified and applied to the monitoring and/or recording equipment. Radio signals must first be received on a radio receiver and converted to audio frequency before being applied to the amplifying and monitoring equipment.

(b) *Monitoring and recording equipment.* Audio signals from the amplifier may be monitored on headphones or by visual indicators and/or recorded on electronic recording devices to provide a permanent record. In special circumstances, the audio from the amplifier may be applied to a higher powered transmitter and retransmitted directly to a remote listening post at an operational headquarters.

b. The components described above are illustrated in figures 5-1 and 5-2. They are available in miniaturized form and can be disguised, con-

cealed, and used in a covert or clandestine manner with variations, limited only by the ingenuity of the technician. They can be incorporated into existing electrical or communications wiring or electronic equipment, concealed in building cavities or conduits, hidden inside office equipment, or placed in furniture or clothing. The listening post can be any secure location from a broom closet to a hotel suite. It may be located within the same building as the listening device, if a metallic link is employed, or it may be in a separate building some distance away, if a radio signal is involved.

5-4. Characteristics of Audio Surveillance Equipment

Items of equipment which can be used in audio surveillance systems vary greatly in size, physical appearance, and capacity. Many items are identical to, and interchangeable with, components of commercially available telephones and radios. Indeed, audio surveillance and counter-measures equipment is available on the open market, although many firms limit the sale to law enforcement or security agencies.

a. Microphones. Microphones can be obtained in practically any size and form. Various types are available for specialized application and may be disguised to appear as such common items as fountain pens, tie clasps, brooches, wristwatches, or various household or office fixtures. Dimensions vary from the relatively large carbon microphones to those as small as 1/4 inch in diameter. Generally microphones must be placed in such a position that air movement generated by sound waves will strike the diaphragm of the microphone. However, access to the area desired may be attained by means of a hollow tube, usually of plastic, which transmits the sound waves to the microphone itself. This tube or the micro-

Pickup Device

Transmission Link

Listening Post

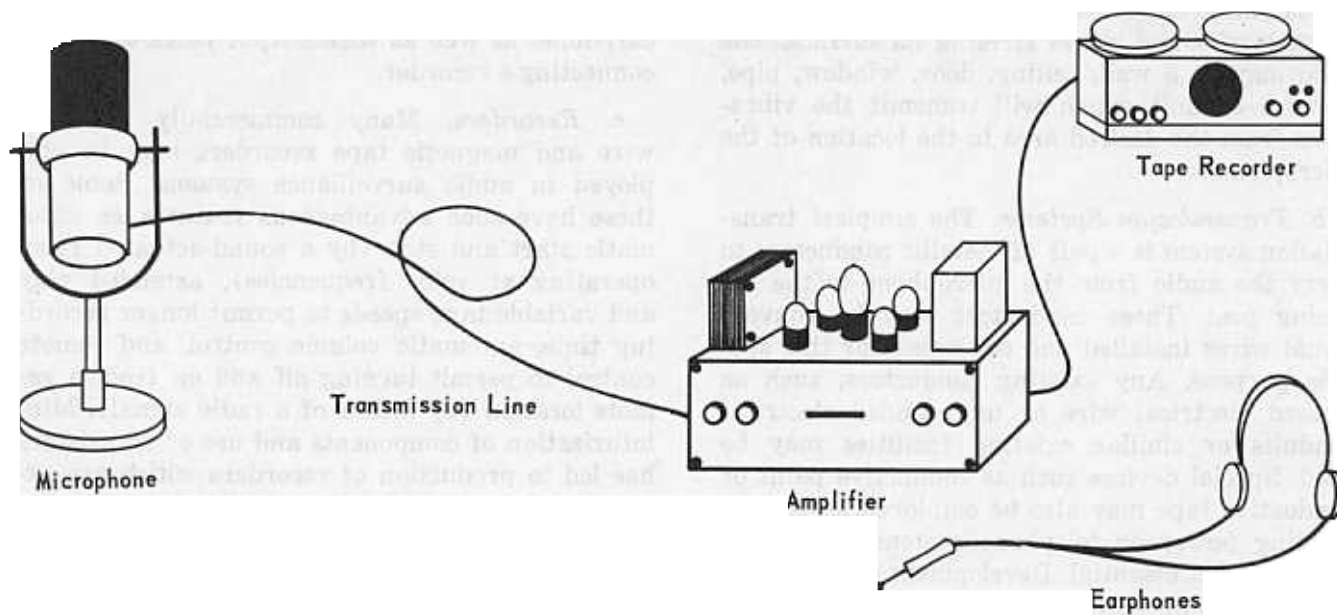


Figure 5-1. Basic components of audio surveillance wire systems.

Pickup Device

Transmission Link

Listening Post

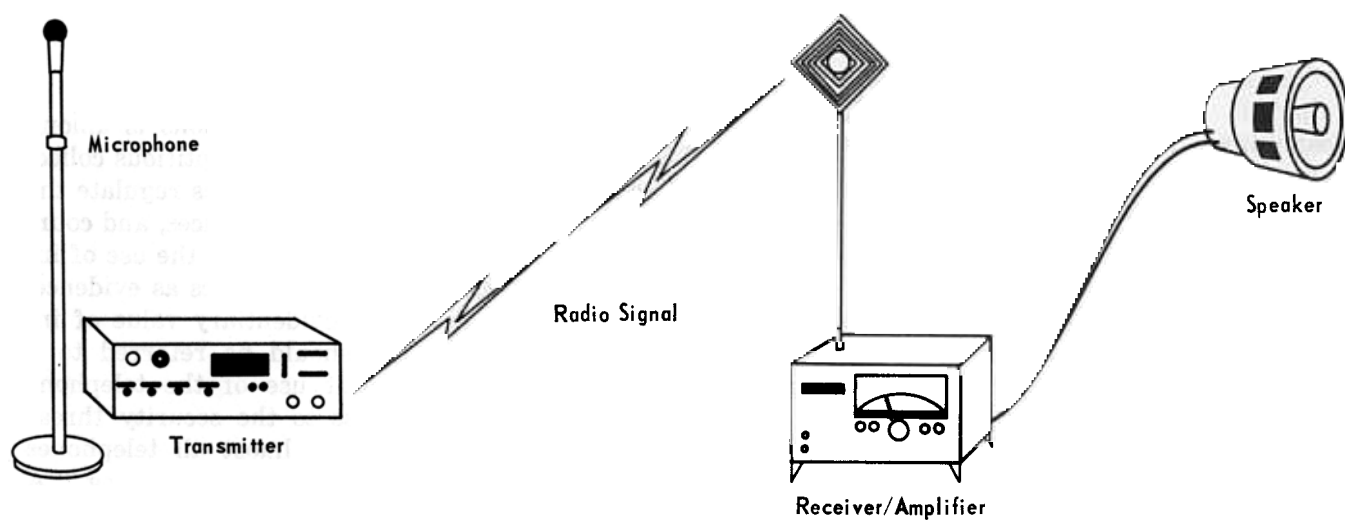


Figure 5-2. Basic components of audio surveillance wireless systems.

phone may be concealed behind a wall, under a floor, or above a ceiling, with a small hole bored to permit entrance of sound waves. Another type of microphone, the contact microphone, does not require air movement to actuate the diaphragm, but is placed against a solid which is vibrating as a result of sound waves striking its surface. The solid may be a wall, ceiling, door, window, pipe, or wire conduit which will transmit the vibrations from the desired area to the location of the microphone.

b. Transmission Systems. The simplest transmission system is a pair of metallic conductors to carry the audio from the microphone to the listening post. These conductors may be conventional wires installed and concealed for this specific purpose. Any existing conductors, such as unused electrical wire or ungrounded electrical conduits or similar existing facilities may be used. Special devices such as conductive paint or conductive tape may also be employed as well as existing power or telephone systems. However, wires are not essential. Development of miniature electronic components permits a microphone to be connected to a very small radio transmitter which can be easily concealed. Such transmitters may operate from standard power sources of 110 or 220 volts, or they may be battery operated. Regardless of power source, they are small enough to be concealed easily in floors, walls, electrical outlets, lamp fixtures, or in recesses of upholstered furniture, and may have the capability of remote control to permit operations from distant locations. A battery-powered transmitter may be concealed on a person without being noticeable.

c. Amplifiers. The weak signal from a metallic transmission link must be fed through an amplifier prior to employing monitoring or recording equipment. An amplifier, more correctly called a preamplifier, is normally a solid state miniature device capable of operating for an extended period of time on a set of batteries.

d. Receivers. A receiver is required to detect the signal from a RF transmission link and convert it to audio frequency before it is applied to the amplifier and the monitoring equipment. RF links provided by normal commercial equipment usually employ frequency modulation (FM) techniques. Other forms of transmission include single side band (SSB), amplitude modulation (AM), or pulse modulation. The radio signal may be capable of continuous transmission or remotely keyed. Any radio receiver may be used provided it is compatible with the transmitter. To


preclude reception by ordinary household radios and television receivers, transmitters are designed to operate on frequencies not normally assigned to commercial broadcast bands. Receivers are small enough to be carried in briefcases and may be battery operated. They are equipped with earphones as well as with output jacks to permit connecting a recorder.

e. Recorders. Many commercially available wire and magnetic tape recorders may be employed in audio surveillance systems. Some of these have such advantageous features as automatic start and stop (by a sound-actuated relay operating at voice frequencies), extended play and variable tape speeds to permit longer recording time, automatic volume control, and remote control to permit turning off and on from a remote location (by means of a radio signal). Miniaturization of components and use of transistors has led to production of recorders which are extremely light in weight, compact, and self-powered, with extended recording time.

f. Other Items. Cavity resonators (self-contained monitoring units requiring no internal power source) and infrared transceivers (use of invisible beam of light to transmit sound) are no longer new. The use of a parabolic reflector with a microphone attached to a preamplifier to monitor conversations out-of-doors from a remote point is now available. The rapidly advancing state-of-the-art of audio surveillance and countermeasures equipment dictates the need for audio surveillance countermeasures technicians to increase their proficiency by continuous assignment in their technical fields and continued study of new developments.

5-5. The Telephone

Monitoring of telephone conversations is among the most productive means of surreptitious collection of information. Federal statutes regulate the use of electronic eavesdropping devices, and court decisions have held unconstitutional the use of information derived from such devices as evidence. Questions regarding the evidentiary value of information so obtained should be referred to a judge advocate. Frequent use of the telephone tends to reduce alertness to the security threat posed by the instrument. Almost all telephones are susceptible to "bugging" and "tapping." A "bug" is a modification of the telephone instrument which permits monitoring of both sides of a telephone conversation and also allows the pickup of conversation in the vicinity of the monitored



telephone, even when the handset is on the cradle. "Bugging" may be accomplished by adding of a wire to the existing normal set, internal alteration or modification of the telephone instrument, or concealing a microphone inside the telephone instrument. A telephone "tap" is a device connected to the telephone instrument or line which permits both sides of a telephone conversation to be monitored. "Tapping" may be accomplished by connecting a device to the wires from an instrument at any point along the line, at connector blocks, junction boxes, or the multiwire cables leading to a telephone exchange. A device used for this purpose may be a telephone lineman's

test set, a miniature telephone monitoring device, a radiation type transmitter, or even a telephone number recording device. Indirect tapping of a line (requiring no physical connection to the line itself) may be accomplished by means of an induction coil in conjunction with an amplifier. It must be realized that all of these methods are not readily recognized on sight. The use of technical equipment and a high degree of proficiency are required for the audio surveillance countermeasures technician to check telephones or systems for security. The most thorough check is not absolute insurance against the monitoring of telephones.

Section III. SURREPTITIOUS ENTRY AND INVESTIGATIVE PHOTOGRAPHY

5-6. General

a. The DAME technician serves as a security consultant and advisor. He has a thorough knowledge of regulations, directives, federal specifications, and data on locks, locking devices, locking systems, vaults, storage areas, and containers. He is also familiar with foreign locks, although he will require study of the locks in any particular area-of-operation to perfect his proficiency. His assistance in the planning and execution of CI surveys, inspections, and security spot checks is essential. In case of suspicion of surreptitious entry or in determining the relative security of an area or container, the DAME technician is fully qualified to give expert assistance. While the DAME technician can support the local commander in assessing weaknesses in locking devices, he should not be used as the local locksmith in such services as changing all the lock combinations in the locale.

b. TOE or TD for most counterintelligence units provide for one or more Special Agents highly trained in investigative photography. These technicians are experienced in the use of press and 35mm cameras, 16mm motion picture cameras, video, the Polaroid system of photography, microphotography, the latent image silver physical system, and the counterintelligence and intelligence applications of ultraviolet and infrared photography. They are also proficient in laboratory work associated with photography. These technicians are invaluable in training counterintelligence Special Agents in the use of cameras and accessories. TM 11-401 contains basic guidance in photographic theory and the use of photographic equipment.

5-7. Uses of Investigative and Intelligence Photography

a. *Investigative Photography.* The many uses of photography in counterintelligence investigations include—

(1) *Identification of individuals.* Both overt photography and surreptitious photography are performed in conjunction with surveillance operations.

(2) *Recording of incident scenes.* Both overall views and specific shots of significant items within the incident scene are essential.

(3) *Recording activities of suspects.* Photography is used to provide a record of a suspect's activities which are observed during surveillance and cover operations.


b. *Intelligence Photography.* Uses of intelligence photography with which counterintelligence investigators should be familiar include—

(1) *Overt photography.* Photographs innocently taken as private snapshots frequently include information of intelligence value. For example, a street scene snapshot found in the possession of a civilian refugee from a hostile area might include as part of the background a good view of an enemy intelligence agency headquarters—a major CI target.

(2) *Surreptitious photography.* Concealed miniature cameras, microdots, and other surreptitious means are used to obtain and transmit pictures of military installations, items of military equipment, maps, documents, manuals, and other matters of intelligence interest. Advances in the technology of photography, both from the point

PHOTO DATA CARD	
Case Number: _____	Subject: _____ Photographer: _____
Location: _____	Date: _____
Time of Day: _____	Weather Conditions: _____
Camera: _____	Negative Size: _____
Lens (Type): _____	Focal Length: _____
Diaphragm Setting: _____	Shutter Setting: _____
Film: _____	Filter: _____
Camera Positions:	
A. Compass Reading: _____	B. Height: _____
C. Lateral Position: _____	D. Tilt: _____
Artificial Light Used: _____	Developer: _____
Developing Time: _____	Temperature: _____ Agitation: _____
Method of Printing: _____	Contrast: _____
Type of Enlarger Lens: _____	
Paper: _____	
Distances Between Important Objects in View: _____	
Description of Area: _____	
Remarks: _____	

Figure 5-3. Photo Data Card.



of view of miniaturization and quality of photography, tend to increase the importance of surreptitious photography to intelligence operations.

c. Photographs of Individual Items as Evidence. Both documents and other physical items of evidence may be photographed in connection with investigations.

d. Specific Techniques for Analysis of Documents. Photography may be used to copy impressions on paper, carbon paper, or chemical erasures. This type of photography normally requires the services of the trained photographic technician and laboratory facilities.

5-8. Photography as Evidence

A photograph may be valuable as evidence since it—

a. Presents facts in pictorial form and creates mental impressions more vivid and realistic than those achieved by words alone.

b. Presents evidence in pictorial form more accurately than the verbal description.

c. Permits consideration of evidence which, because of size, bulk, weight, or condition, cannot be brought into the courtroom.

d. Reduces the need for lengthy descriptions and explanations.

5-9. Rules Pertaining to Photographs as Evidence

In order to qualify for admissibility as evidence,

photographs must have been made in accordance with the following general rules:

a. The represented object must be material to the case under trial.

b. The photograph must be free of distortion.

c. The photography must be verified by a person who is personally acquainted with the locality, object, person or thing represented, and who is able to state that the photograph represents the appearance of the subject matter in question.

d. Nothing must be removed or altered at the scene of an incident prior to the taking of the photograph unless absolutely necessary; then a note should be made indicating the reason for the removal or alteration.

e. Although not a prerequisite for admissibility as evidence, photographs should be supported by notes made at the time of photography to provide a description of what the photograph includes, case number or name of the subject, time and date, lighting and weather conditions; plate, film, lens and type of camera; time of exposure and stop used; specific reason for taking the picture; location of the camera; compass direction; and specific reference to all important objects portrayed. Any one of these details may be of importance during a trial, particularly if the photograph is challenged. The notes should be retained by the investigator (photographer) on a format similar to the Photo Data Card as shown in figure 5-3. All photographs must be marked for identification purposes as explained in FM 19-20.

Section IV. FALSE DOCUMENTATION AND SECRET WRITING

5-10. Detection

a. In counterintelligence investigations, particularly in counterespionage and countersubversion, use of false documentation to support cover stories by hostile intelligence agents should be anticipated. False documents are expertly fabricated and extremely difficult for an untrained person to detect.

b. Detection of secret writing, frequently used to conceal messages in innocuous appearing correspondence, is usually beyond the capability of an untrained Special Agent. Suspicion that certain correspondence contains an invisible message may arise, but confirmation, or actual detection, normally requires the services of specially trained technicians and laboratory facilities. Techniques to establish the legitimacy of personal or other documentation, and to detect secret

writing may be found in DIAM 58-11 and FM 30-18.

5-11. Availability of Technical Support

a. Personnel trained in detecting false documentation and secret writing may be obtained by counterintelligence elements from higher Military Intelligence headquarters, or through Theater Army. Normally, procedures for obtaining this type of support will be established in SOP.

b. Assistance in detecting false documentation may often be obtained from other intelligence and security agencies, including those of host countries, within the area-of-operations. Such assistance includes information about the types of false documentation which may be encountered, identifying characteristics, and other data concerning the origin and use of these documents.

Section V. THE POLYGRAPH

5-12. General

The polygraph may be used as an investigative aid, subject to the provisions set forth in AR 195-6, to further interrogation or investigation by furnishing indications of attempted deception. Through the employment of proper investigative and interrogation techniques, the polygraph examination of the average subject may provide valuable information. The polygraph will record certain physiological phenomena such as changes in blood pressure, pulse rate, respiration, and skin resistance. The results of a polygraph examination, unless supported by admissions or confessions must be viewed in terms of possibility or, at best, probability of the examinee's truthfulness. As an aid to interrogation, the instrument has been of considerable value in the field of counterintelligence. Under no circumstances will the polygraph examination be used as a psychological prop. Trained examiners, certified as qualified polygraph examiners by the Department of the Army, are provided in the TOE and TD of most CI units. Counterintelligence Special Agents, however, must be familiar with the capabilities and limitations of the polygraph examination in order to exploit its use properly.

5-13. Objectives of Polygraph Examination

The polygraph examiner attempts to—

- a. Ascertain the probability of a person attempting deception.
- b. Obtain leads to the facts of an offense, the location of items, and the whereabouts of persons.
- c. Compare conflicting statements.
- d. Verify statements.
- e. Obtain the facts after a test has indicated the possibility that a person is attempting deception.

5-14. Polygraph Examinations

a. *General.* The examination consists of a pre-test discussion during which the examiner explains the operation of the instrument and reviews the questions to be asked during the examination; the test proper, during which questions to be asked and the subject's physiological changes to his responses are recorded; and the post-test interview, during which the examiner discusses

any problem areas or attempts to determine the reason for questionable reactions or responses.

b. *Emotional Factors.* Numerous emotions may be involved and will appear on the chart as physiological responses. The chief psychological factor in all polygraph examinations is to focus examinee's psychological set on that portion of the test which causes him the most concern.

5-15. Suitability of Subjects for Examination

The counterintelligence Special Agent must recognize that certain mental and physical conditions may influence a person's suitability as a subject for examination and affect his reactions during an examination. The polygraph examiner decides whether or not a person is fit to take the examination, but he does not attempt a psychiatric or medical examination of the subject. It is important that he, as well as the counterintelligence investigators on the case, consider the following:

a. *Permanent Physical Illness.*

(1) Certain heart conditions and breathing disorders sometimes make a person unfit to take an examination.

(2) A highly nervous or excitable person may be unfit.

b. *Temporary Physical Illness.* A person who is intoxicated, injured, or suffering pain or discomfort is unfit to be examined. Extreme physical or mental fatigue and certain ills, such as colds, coughing spells, hay fever, asthma, hiccups, and severe allergies, may influence a person's suitability for examination.

c. *Mental Illness.* Mentally deficient and insane persons cannot be examined. Persons of very low intelligence may be difficult to examine successfully. Often they display little moral sense or fear of being caught in a lie or an offense. It may be difficult or impossible for them to understand the difference between the truth or a lie, or to understand the purpose and procedures of the examination. If the examiner believes a subject is mentally deficient, insane, or physically ill, he must so inform the agency or office requesting the examination so that action can be taken to have the subject examined by competent medical authorities.

d. Other Considerations. A person who has been treated or questioned improperly prior to the examination may not be a fit subject for the examination. A person who is emotionally upset or under the influence of a depressant, narcotic, stimulant or other drug capable of materially affecting physiological responses, should not be examined while he is in such a condition. A person who is unduly afraid of the test may also present a problem. Proper treatment and a clear explanation of the examination will usually overcome these difficulties.

e. Pretended Ills. Some persons may seek to evade or postpone the examination by pretending a mental or physical illness or some other defect which they feel will make it difficult or impossible for them to be examined.

f. Use of Drugs. The use of certain drugs by a person may affect his reactions on the polygraph. The examiner should be alert for symptoms which may indicate that the subject is under the influence of drugs. When an investigator has advance knowledge that the subject has injected drugs, he should so advise the examiner prior to the investigation. (See app E for guidance.)

5-16. Treatment of the Subject

Success of a polygraph examination depends in part on how the subject was treated before he was asked to take the examination, the manner in which he was asked to take the examination, and his treatment while awaiting the examination.

a. Routine Questioning. A proper interview seldom affects the examination results. However, the investigator should use common sense as to the length and persistence of questioning. The investigator should not reveal details of an offense to a person who may be asked to take a polygraph examination.

b. Asking a Person To Take the Polygraph Examination. The Special Agent should—

(1) Ask the person to be examined if he is willing to take the polygraph examination and inform him that if he refuses, no adverse action will be taken against him. Further, advise him that no information concerning an individual's refusal either to submit to or volunteer for a polygraph examination will be recorded in any personnel file.

(2) Attempt no explanation of the polygraph instrument or of the examination as this is the sole responsibility of the polygraph examiner.

(3) Stress the professional qualifications and the impartiality of the polygraph examiner.

5-17. Preparation for a Polygraph Examination

a. Planning Examination Questions.

(1) The examiner prepares the actual examination questions from information provided by the investigator. General facts, theories, and suspicions are not enough; the examiner needs detailed facts.

(2) Whenever possible, the investigator should inform the examiner of the unpublicized facts of the offense, particularly those known only to the victim, the offender, and the investigator.

b. The Setting for Examination.

(1) The examination must be conducted in a quiet, private place. If possible, two rooms should be provided: one as the examination room proper, and the other as a combination waiting room and office. The examination room should be plainly furnished with only a desk, chair for the subject, and chair for the examiner. The subject's chair should face a blank wall or one free from distractions. The room should be soundproof to eliminate extraneous noises. If the setting is in a warm climate, air conditioning should be installed. A two-way mirror should be placed in one wall to allow for observation when a witness is needed. However, AR 195-6 states that the subject must be informed of the two-way mirror and the existence of audio recording equipment.

(2) The waiting room should contain comfortable chairs, a desk for the examiner, and other equipment which creates a professional impression.

(3) The ideal setting for a polygraph examination will be impossible to achieve in some situations. It is suggested that an effort be made to approach as closely as possible the conditions described above. The examiner will be able to ascertain quickly whether the setting is adequate to permit a successful examination.

c. Arrangements for Witnesses. Normally, only the examiner and the subject should be present in the examination room during the examination. When the subject is a woman, there should be a witness to the examination. Depending on the circumstances, the witness may be present in the room or may observe the examination through a two-way mirror (with the subject's

knowledge) and listen to the examination by means of a monitoring device (also with subject's knowledge).

5-18. Use of Interpreters

a. At times, the investigator will have to arrange for an interpreter to work with the examiner. The interpreter must be fluent in the two languages to be used so that the translations will be accurate and in the proper idiom. The interpreter should also have some experience in investigative questioning.

b. The interpreter must have a security clearance equivalent to the security classification of the matter to be discussed during the examination or such material as may be revealed as a result of the examination.

c. The interpreter must understand how the examination works and what can be accomplished by it. The examination should be practiced in private until the interpreter thoroughly understands the procedure. The interpreter should be briefed beforehand on the facts with which he must deal in his interpretation.

d. All examination questions should be prepared and translated prior to the examination. Procedures for using an interpreter are similar to those followed in interviews and interrogations except that the interpreter asks the prepared questions at a predetermined signal from the examiner who is operating the instrument.

5-19. Avoidable Mistakes

Most unsatisfactory polygraph examinations are due mainly to unfitness of the subjects and the lack of preparation by examiners and investigators. The Special Agent must bear the following in mind:

a. It is Department of the Army policy that counterintelligence investigations shall be based on evidence, rather than on self-disclosure induced by polygraph examinations. All other investigative techniques should be exhausted prior to granting authorization for the use of the polygraph examination.

b. He must be thoroughly familiar with the case file to include subject's background. This information, including the dossier, if available, should be provided the examiner at least two

days prior to the polygraph examination, and made available during the examiner's consultations with the Special Agent.

c. It is imperative to inform the examiner, when known, that the subject is overly emotional, uses alcohol to excess, may be under the influence of sedatives or drugs, may be addicted to narcotics or marijuana, suffers some mental aberration, or possesses other disabilities or defects which may cause abnormal responses.

d. He must consult with the examiner when in doubt as to the person's fitness to take the examination. If there is still doubt, consult the individual exercising command or operational supervision for further determination and appropriate action.

e. He should never describe the polygraph instrument as infallible.

f. The polygraph is used solely as an investigative aid and does not determine guilt or innocence.


5-20. Reports, Records, and Charts

a. *Reports and Records.* The report forms to be used, records to be maintained, and distribution are prescribed in AR 195-6. The Special Agent will coordinate with the examiner in the preparation of portions of the form having to do with the background of the investigation.

b. *Polygraph Examination Results.* Polygraph examination reports obviate the necessity for preparing a detailed Agent Report, DA Form 341, except that the Agent Report may be used as a cover sheet to transmit the material. No mention of the results of the examination or of the information obtained will appear in the Agent Report (chap 7).

c. *Statistical Data.* Polygraph examiners will maintain monthly statistics of all examinations conducted. The data collected will not contain the names of persons examined. In addition, a log of persons examined, by name, may be maintained provided that the results of the examination are not indicated or keyed to the names.

d. *Statement of Consent.* The Polygraph Examination Statement of Consent (DA Form 2801) will be read and signed by each person prior to submitting to polygraph examination. Prior to signing the statement, examinees must be given an explanation of rights under Article



31 of the Uniform Code of Military Justice and the Fifth Amendment to the Constitution and their right to counsel (chap 3) since the answers to the examiner's questions can be introduced into evidence against him. This is not to imply that

polygraph examinations are admissible which would be an incorrect assumption. Polygraph examinations are not reliable enough to be admissible in a court of law. The procedures outlined in AR 195-6 apply.

CHAPTER 6

SOURCES OF INFORMATION

Section I. GENERAL

6-1. Introduction

The counterintelligence mission requires the continuous availability of sources of timely and reliable information on individuals, groups, and organizations which pose a security threat to the military establishment. One of the counterintelligence Special Agent's most effective means of obtaining the required information is through

knowledge and exploitation of the sources of information available to him.

6-2. Sources of Information

A "source of information" is defined for purposes of this manual as any person, thing, or activity from which intelligence information is obtained. All sources fall into one or more of the following three categories—human, documentary, and technical/materiel.

Section II. HUMAN SOURCES

6-3. General

Among the Special Agent's most valuable sources of information are people. Whether their attitude is friendly, hostile, or indifferent, the ability to exploit those persons who possess or can obtain information of CI interest requires a special investigative proficiency that must be developed by all professional counterintelligence personnel.

6-4. Conventional Source

A conventional source is an individual with whom unconcealed, normal, overt contact is maintained. This type of source may provide any type of intelligence information; under normal circumstances, his identity, relationship, and connection with US intelligence will not jeopardize him in any manner. If the source repeatedly furnishes privy information, the source's identity in counterintelligence reports may be concealed in order to protect the flow of information and insure continued usefulness. Conventional sources are divided into the following classifications:

a. Incidental Sources. Individuals who furnish information either on a one-time basis with no intention of repeating this service or who furnish information on an infrequent and irregular basis which does not meet the criteria for classification as a "casual" source are known as incidental sources. These include—

(1) *Interviewees.* Individuals contacted by Special Agents or summoned to a counterintelligence office during the course of an investigation for the purpose of being interviewed and who are aware that they are in contact with an official military agency are termed interviewees.

(2) *"Walk-ins" or volunteers.* Individuals who, of their own accord, contact a counterintelligence office in order to divulge information they believe to be of CI interest are termed "walk-ins" or volunteers. This category includes well-meaning, patriotic citizens who furnish valuable information, but also encompasses a wide range of persons motivated by malice, avarice, revenge, or jealousy, who may volunteer biased, distorted, or completely false information for personal reasons. Hostile intelligence agencies may also sponsor confusion agents who act as "walk-ins" to disseminate false or misleading information. Determination of the true identity and motives of "walk-ins" is essential to the evaluation of any information they may offer (para 4-13).

(3) *Unwitting sources.* Individuals who provide information of CI interest without being aware that they are imparting such information are termed unwitting informants. Information may be obtained from such persons by subtle elicitation techniques or through technical surveillance.

(4) *Others.* Any individual, by virtue of his position and knowledge, may possess vital or special information of CI interest. Normally, such sources are contacted for a specific purpose and continuous contact is not anticipated. The information provided may be either wittingly or unwittingly disclosed by the source, and the nature and circumstances of the type information obtained determine the need for protection of his identity. These types of incidental sources are—

- (a) Defectors.
- (b) Escapees.
- (c) Refugees and displaced persons.
- (d) Repatriated personnel and expellees.
- (e) Detainees.
- (f) Captured enemy personnel.
- (g) Expatriates and members of minority groups.
- (h) Tourists and other transient personnel.
- (i) Attendees at international gatherings.
- (j) US citizens living abroad.
- (k) Local nationals employed by US forces.
- (l) US military personnel, active, reserves, or retired, and their families.

b. *Casual Sources.* A casual source is one who, by his social or professional position, possesses or has access to information of continuing interest, and who willingly provides this information to the counterintelligence unit, either in response to a specific request or on his own initiative. A casual source is under no obligation to furnish information and normally is subjected to only as much control as he is willing to accept. He usually can

be relied upon only for that information which is routinely available to him, and normally there is no assurance that he would not furnish the same information to any other agency requesting it.

c. *Official Sources.* Individuals who, by virtue of their official positions, are expected or obligated to provide intelligence information openly to counterintelligence units in the normal course of their duties are termed official sources. Certain government officials, police officers, and technical experts are examples of official sources. Foreign government officials and representatives may also fall within this category, depending upon the circumstances and agreements in effect. Continuing contact with official sources over a period of time will frequently result in a relationship where the degree of cooperation with the counterintelligence unit extends beyond that inherent in the official's position. In such cases, measures must be taken to protect his connection and identity with the information provided.

6-5. Confidential Source

A confidential source is an individual whose identity and association with US intelligence for personal, business, official, or other reasons must be afforded security protection. In the field of counterintelligence, confidential sources are generally employed in special operations, counterespionage, countersabotage, and countersubversion activities. Confidential sources used in counterintelligence special operations must be administered and registered in compliance with appropriate directives. For a detailed explanation of confidential sources, see FM 30-17A.

Section III. DOCUMENTARY SOURCES

6-6. General

A document is defined as any written, drawn, or printed material which conveys information. The ability to exploit available documentary sources is an investigative technique that provides a wealth of intelligence information, and greatly reduces the time and effort expended in counterintelligence investigations and operations. Documentary sources include mass media, scientific and technical material and correspondence or other documents exchanged between individuals, agencies, and governments as well as documents captured by US forces or obtained from friendly forces.

6-7. Mass Media

Mass media documentary sources are those readily accessible to the general public and, in most instances, easily obtained. Routinely available publications, both domestic and foreign, should be utilized by the Special Agent in order to keep well informed of current world and local events, trends, political movements, personalities and organizations. Newspapers and news magazines; telephone, city, business and professional directories; maps; town plans; gazetteers; trade journals; transportation listings, schedules and routes; and standard references such as "Who's Who," almanacs and encyclopedias are some of

the publications available. Propaganda efforts of hostile and opposition forces, such as leaflets, newspapers and magazines, and trade publications, also assist in planning and conducting counterintelligence investigations and operations. The mass media approach to the collection of intelligence information requires a great deal of manpower and time to evaluate the worth of the material. Differences between developed and undeveloped societies usually mean a corresponding difference in the quantity of publications that might provide information concerning the workings of a society and its people.

6-8. Scientific and Technical Documents/ Data

Exploitation of documents and data pertaining to scientific and technical matters may reveal advances and weaknesses of a country. FM 30-16 contains guidance on the handling of scientific and technical documents.

6-9. Correspondence, Documents and Records

Perhaps the most widely and often used type of documentary source is correspondence or other documents legally and overtly exchanged between

individuals, agencies and governments. As explained in chapter 4, the files and records maintained in the offices of the numerous federal, state, and local agencies, both military and civilian, are constantly utilized by the Special Agent during the course of investigations. Counterparts of our national, local, state, and private agencies also exist in most overseas areas. Although the scope and operations of these various overseas agencies will vary from their American counterparts, in most cases, their recorded information will parallel or even exceed that information available in similar agencies in the United States. The reliability of recorded information obtained from overseas agencies will vary depending upon the country and agency involved. Such information must be closely analyzed and evaluated before being accepted as established evidence or fact. Important sources of information to the Special Agents are those documents obtained from local and higher intelligence headquarters; these include such publications as intelligence summaries (INTSUM), periodic intelligence reports (PERINTREP), intelligence studies, directives, and SOPs. Through judicious use of available records and files, investigation can be reduced greatly and information verified. Leads can be provided indicating the existence and location of information which can be exploited.

Section IV. TECHNICAL/MATERIEL SOURCES

6-10. General

Technical devices or equipment, materiel, or physical items that can be exploited for investigative purposes are valuable sources of information to the Special Agent. Common sources are ordinary AM or FM radio broadcasts and telecasts. Additional sources include photographs or films, tape recordings, and charts (chap 5).

6-11. Technical Intelligence

Whenever captured or confiscated equipment or materiel used or manufactured by foreign nations comes to the attention of counterintelligence personnel, the item should be examined for possible counterintelligence use and then turned over to the technical intelligence unit for exploitation (FM 30-16).

Section V. LIAISON

6-12. General

a. Inherent in the exploitation of sources is liaison between individual parties or organizations to insure mutual cooperation, understanding, and unity of purpose and action. In CONUS, and particularly in overseas areas, liaison with the agencies and individuals having records and information of CI interest is essential to the success of counterintelligence investigations and operations.

b. The nature of counterintelligence activities

and the many legal restrictions imposed, particularly by status-of-forces or other delimiting agreements, frequently make the collection of counterintelligence information dependent to a large extent upon the effectiveness of liaison. Liaison with appropriate US, host country, and allied military and civilian agencies is fundamental to the success of counterintelligence operations. Liaison procedures should be established by unit SOP. Frequently the employment of a full-time liaison officer, or section, to maintain regular con-

tact with designated military and civil agencies will be necessary.

c. In addition to national agencies maintaining or processing records and information of CI interest, there exists numerous local agencies which may also provide assistance to CI activities and operations. Counterintelligence personnel must be familiar with available agencies and the type and scope of information which they can provide. Chapter 4 discusses the principal types and locations of pertinent records that will often be of CI interest.

6-13. National Agencies in CONUS

Liaison activities at the national level with military, Department of Justice, Treasury Department, State Department, Central Intelligence Agency (CIA), Civil Service Commission, Veterans Administration (VA), and the Office of Selective Service are normally conducted at Department of Defense or Department of the Army level. Information contained in the reports and files of these agencies is usually received as a result of a National Agency Check (NAC). For further information, see FM 30-17A.

6-14. Local Agencies in CONUS

Liaison with military, civilian, private agencies, and with offices of national agencies at local levels is usually accomplished by a Special Agent designated by his unit to establish direct, personal contact. In addition to Federal agencies represented at the local level, other agencies that should be contacted include:

- a. Military G2/S2, personnel sections and provost marshals of units in the area.
- b. Civilian agencies such as state and local police or sheriffs' offices, bureaus of vital statistics, state crime commissions, state adjutants general, state boards of education, motor vehicle bureaus, and local courts.
- c. Private agencies such as chambers of commerce, credit agencies, and public utilities.

6-15. Agencies Overseas

a. Liaison is essential to the success of counterintelligence exploitation of information in overseas areas of operation. Many US agencies and counterpart agencies of host country and allied forces will be found in overseas areas.

b. Personnel engaged in liaison activities must

be aware that, whether of an official or informal nature, liaison is a two-way street. The person contacted by the Special Agent is usually from some other intelligence, law enforcement, or security agency, US or foreign, and expects to receive information from the Special Agent as well as to provide information. Counterintelligence personnel involved in liaison duties must be familiar with pertinent local directives and SOP, A 380-5, AR 381-115, and other pertinent ARs of the 380- and 381-series. The general rule ("third agency rule") is that information will not be passed to another or third agency without the consent of the originating agency. Liaison positions differ in complexity from those involving only records checks or exchange of documented material to those involving detailed coordination of all types of counterintelligence investigations and operations. The skilled liaison officer must recognize his own limitations and bring other counterintelligence personnel into contact with other agencies when the occasion demands.

c. Additional overseas agencies include:

- (1) *US official agencies.*
 - (a) US embassies, legations, or consulates.
 - (b) Other intelligence and tactical units in the area.
 - (c) Local Judge Advocate General offices.
 - (d) Intelligence advisors to host country military forces.
 - (e) Special Forces units.
 - (f) Military Assistance Advisory Groups (MAAG).
 - (g) Labor service battalions.
 - (h) US Operations Missions (USOM).
 - (i) Civil Affairs units or staff sections.
 - (j) Psychological warfare elements.
 - (k) Provost Marshal and US Army Criminal Investigation Command (USACIDC).
 - (l) USASA units.

(2) *Host country official agencies.* Regardless of the status of US elements in the host country, liaison personnel must exert all possible efforts to establish personal rapport with their military and civilian counterpart agencies at national and local levels. In overseas areas, liaison functions normally are assigned to full-time liai-

son personnel who should possess local language capabilities, have broad professional background, and possess personal characteristics of maturity and good judgment.

(3) *Allied forces.* When US forces are en-

gaged in tactical operations in conjunction with armed forces of allied nations, close and continued liaison must be established with the respective counterintelligence and other intelligence agencies.

CHAPTER 7

INVESTIGATIVE REPORTS

Section I. INTRODUCTION

7-1. General

The information obtained through application of the various investigative techniques and procedures will be of little value unless it is accurately recorded and reported. In general, counterintelligence reports are written to transmit information to an action agency, serve as a source of information for intelligence research, and serve as a permanent record of investigation. Since the end product of any investigation performed by counterintelligence personnel is the written report, a system of standardized counterintelligence investigative reports is used to insure the logical presentation of specific information gathered. Sample investigative reports of all types are provided by command or intelligence unit SOP; samples of pertinent reports are included in appendix B to this manual as well as details on how to complete them correctly.

7-2. Types of Reports

There are five basic forms of counterintelligence investigative reports. Forms to be used in reporting polygraph examinations are described in AR 195-6 while special operational reports are contained in the classified supplement to this manual, FM 30-17A.

a. DA Form 341 (Agent Report)—DA Form 341 is the primary report form for recording results of counterintelligence investigations.

b. DA Form 342 (Report of Investigation)—Accumulated Agent Reports and exhibits for a single investigation will be compiled and results forwarded by DA Form 342 (ROI).

c. DA Form 568 (Summary of Information)—A brief narrative, sufficiently detailed to enable the reader to understand what is contained in other investigative records and reports, is forwarded on DA Form 568 (SOI).

d. DA Form 2784 (Request for and Results of Personnel Security Action)—DA Form 2784 is

used by authorized requesters to request a background investigation and by control offices to notify requesters of the results of investigation.

e. DD Form 1584 (Department of Defense National Agency Check Request)—DD Form 1584 is used by authorized requesters to request the conduct of a NAC, regardless of whether or not the NAC is a component of a background investigation.

7-3. Basic Characteristics of Reports

The secret of writing good counterintelligence reports lies in the writer's ability to pay strict attention to details. Attention must be given to the application of the six standard characteristics of all good reports.

a. Accuracy. Accuracy is the most important characteristic. Reports must reflect exactly what was seen, heard, or done. The Special Agent must not make assumptions, interpret information, nor draw conclusions. When a source expresses an opinion or belief, it should be reported as such, and not as a fact. Accuracy also means precision (i.e., correct spelling of names, business firms, and cities; exact reporting of dates, addresses, and times; and careful descriptions of actions, comments, and records).

b. Completeness. If even one small link in the chain of facts is omitted, those who must take action on the report may make the wrong decision. So far as possible, the six basic interrogatives (who, what, when, where, why, and how) must be answered in relation to every phase of the report. To insure against omissions, the report should be proofread carefully and compared with the notes on which it is based after the report is finished.

c. Pertinency. Pertinency means that the information recorded in the report has a direct bearing on the purpose of the investigation. Only information that is relevant to the investigation should be included in the report.

d. Clarity. Material included in investigative reports must be clearly phrased so that it will be easily understood and cannot be misinterpreted. Clear phrasing is the result of clear thinking. Emphasize main ideas in a direct, uncomplicated style; arrange paragraphs in logical order; and write in simple, standard, grammatical English so that anyone using the report can understand it.

e. Impartiality. An impartial or unbiased report is one in which the Special Agent has been completely impartial and objective in reporting all pertinent information, regardless of whether it is favorable or unfavorable to the subject of the investigation. The report must not include words which reveal or arouse feelings, except where such words are a direct quotation from the source. Even then, the individual's reasons for using such words should be ascertained and recorded.

f. Conciseness. A concise report goes straight

to the point. Although conciseness does imply brevity, it does not dictate the length of the report. This will be dependent upon the number of pertinent facts to be reported. Conciseness is achieved by eliminating nonpertinent information and irrelevant explanatory detail.

7-4. Protection of Investigative Reports

Case files and dossiers pertaining to counterintelligence investigations conducted in accordance with AR 381-130 and individual leads or responses containing significant derogatory information concerning an identifiable person will be marked: "FOR OFFICIAL USE ONLY" and annotated that it is excluded from automatic termination (AR 340-16). Case files, dossiers, and other documents containing classified defense information will be classified CONFIDENTIAL or higher in accordance with AR 380-5. Individual leads and favorable responses to individual leads should be marked "FOR OFFICIAL USE ONLY."

Section II. PURPOSE AND USE OF COUNTERINTELLIGENCE INVESTIGATIVE REPORTS

7-5. General

Subsequent paragraphs will discuss the five basic counterintelligence forms in use in the US Army and their purpose and use. Details on how to complete these forms are contained in appendix B, or in AR 381-130.

7-6. The Agent Report (DA Form 341)

The Agent Report is used to record information obtained as a result of counterintelligence investigative activities conducted by one or more Special Agents in connection with personnel security investigations or incidents, and obtained through interview, interrogation, observation, surveillance, records examination, or other special investigative techniques. Normally, each single investigative activity will be reported on a separate Agent Report. Agent Reports serve as the basis for other counterintelligence reports such as the Report of Investigation and Summary of Information. Therefore, Agent Reports must contain sufficient information in proper form to justify any resultant action, and they must answer any reasonable questions which might be raised by authorities reviewing the case. It is the responsibility of the Special Agent to develop fully and record accurately and impartially all pertinent

information, both favorable and unfavorable, to preclude incorrect or arbitrary conclusions by a reviewing or action agency. However, Agent Reports will not be passed outside of MI channels.

7-7. Report of Investigation (DA Form 342)

The Agent Report and exhibits accumulated as a result of specific investigative activities conducted during the course of an investigation will be compiled and a synopsis of their content prepared. These three elements—synopsis, Agent Reports, and exhibits—are combined to form a Report of Investigation (ROI), which is a complete account of either the entire investigation or particular portion of the investigation. The synopsis will be prepared on the ROI, to which the Agent Reports and exhibits are attached. The synopsis allows the requester or action agency to study the investigation systematically and then base its decision upon the findings. Reports of Investigation are prepared by the control office for the investigation under the following conditions:

a. Upon completion of:

(1) All CTIs.

(2) All personnel security investigations which result in evidence deemed sufficient to war-

rant recommendations adverse to the interest of the person investigated.

(3) All personnel security investigations of such importance or complexity that it is felt that DA Form 2784 (Request for Results of Personnel Security Action) would not furnish an adequate summary of the rests.

b. Prior to the completion of an investigation:

(1) In urgent situations which require immediate precautionary or preventive measures.

(2) In cases of treason, espionage, sabotage, or sedition, when the initial ROI is prepared within 30 days of initiation of the investigation, regardless of the status of the case. Subsequent reports of investigation will be submitted as necessary and upon completion of the investigation.

(3) Whenever the investigation is suspended, canceled, or transferred to another jurisdiction.

7-8. Summary of Information (DA Form 568)

The Summary of Information (SOI) is used to present a concise history or summary of the information available concerning an individual, organization or an incident. A SOI may be used as a basis for some decisions (e.g., a decision to initiate an investigation), but is never used as a basis for direct action against an individual. It is used as a means of transmitting information between commands and offices, including counterintelligence offices. It is not intended to replace other forms, such as the ROI, Agent Reports, or Lead Sheet, and it is not used to report original information. The SOI normally is used to transmit the following types of information:

a. A summary of files or records.

b. Information which is considered of importance to any government agency which has a proper interest in the facts.

c. Characterizations are biographic sketches of individuals or organizations who routinely service Army installations or make requests to Army elements and officials. These requests may be for a variety of reasons. For example, requests may be for admittance to installations as for civic

support, speakers, autographs, drill teams, bands, and even escorts for festivals and homecomings. In these cases, characterizations may be requested for use in determining the appropriate response or course of action.

7-9. Request for and Results of Personnel Security Actions (DA Form 2784)

Request for and Results of Personnel Security Action (DA Form 2784) provides a standard format for requesting a background investigation, limited investigation, review of previous investigations in order to validate an existing clearance, or a check of intelligence files for any purpose. Its use is restricted to actions involving individuals. Control offices will utilize DA Form 2784 to notify requesters of the results of investigation. When the results of a background investigation are completely favorable, the investigative reports will not be furnished the requester (action agency) unless specifically requested. This form will not be used to request a National Agency Check (NAC) or Entrance National Agency Check (ENTNAC) only. (See AR 381-130 for distribution and instructions for completion of DA Form 2784.)

7-10. Department of Defense National Agency Check Request (DD Form 1584)

Department of Defense National Agency Check Request (DD Form 1584) will be used to request, control, conduct, and return results of a National Agency Check (NAC) or Entrance National Agency Check (ENTNAC). For details in purpose, preparation, and distribution, see AR 381-130.

7-11. Spot Reports

In addition to the five basic investigative reports, any information obtained by counterintelligence personnel which requires immediate dissemination to user agencies (tactical or nontactical) will be submitted so that the responsible command and, if appropriate, Headquarters, Department of the Army, may be promptly advised. Transmittal of such information is normally in the form of a spot report (AR 381-130).